

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Bayong Brown Bayong :
and Ahmed Adem, :
Plaintiffs, :
vs. : Case No. 1:20-cv-00989
County of Butler, :
Ohio, et al., :
Defendants. :

VIDEOCONFERENCE DEPOSITION OF BROWN BAYONG BAYONG

Monday, July 18, 2022
9:00 a.m.
(Via Zoom)

TRACI E. PEOPLES
PROFESSIONAL REPORTER

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15 On behalf of the Defendants.

16 - - -

17 ALSO PRESENT:

18 Mary Claire-Spurgin
19
20
21
22
23
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- - -

1 MONDAY MORNING SESSION
2 July 18, 2022
3 9:00 a.m.

4 - - -

5 STIPULATIONS

6 - - -

7 It is stipulated by and between counsel
8 for the respective parties herein that this
9 deposition of BROWN BAYONG BAYONG, a plaintiff
10 herein, called by the defendants under the statute,
11 may be taken at this time and reduced to writing in
12 stenotypy by the notary, whose notes may thereafter
13 be transcribed out of the presence of the witness;
14 and that proof of the official character and
15 qualifications of the notary is waived.

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I N D E X

- - -

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(By Ms. Norris)	
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(By Mr. Downey)	

- - -

P R O C E E D I N G S

- - -

BROWN BAYONG BAYONG,
being by me first duly sworn, as hereinafter
certified, testifies and says as follows:

- - -

CROSS-EXAMINATION

BY MR. DOWNEY:

Q. I'm just going to go over a few
deposition ground rules. I'm going to ask you a
number of questions today. If at any point you
don't understand one of my questions, please let me
know that. Otherwise, for purposes of the record,
we will accept that you understood the question and
answered it accurately. Can you agree to that?

A. Yes.

Q. I'll ask that you permit me to finish
asking questions before you answer so that we take
down a clean record for the court reporter.

If at any time --

MS. NORRIS: Can I -- I just have a quick
question. I would like (technical difficulty) --

MR. DOWNEY: I'm sorry?

MS. NORRIS: Are we recording --

1 THE WITNESS: (Inaudible.)

2 MS. NORRIS: Just one second.

3 Are we recording this today?

4 MR. DOWNEY: We are recording via steno.

5 MS. NORRIS: I'm sorry?

6 MR. DOWNEY: The court reporter is taking
7 down a record, but we're not videotaping today.

8 MS. NORRIS: Oh, okay. So you're not --
9 you don't have a -- You're not videotaping this at
10 all?

11 MR. DOWNEY: No.

12 MS. NORRIS: Okay. Is it possible that
13 we can? Or are you --

14 MR. DOWNEY: It's not my area of
15 expertise, Amy.

16 MS. NORRIS: If you do, like, "Meeting,
17 Record," then it will work. But it says, like, I
18 have to ask the host to record.

19 MR. DOWNEY: Yeah. I think we have a
20 court reporter, so we don't need to record it.

21 MS. NORRIS: Okay. So that request is
22 denied?

23 MR. DOWNEY: Yeah.

24 But I was in the middle of my question.

1 BY MR. DOWNEY:

2 Q. Mr. Bayong, will you agree to let me know
3 if you don't understand the question?

4 A. (Inaudible; Technical difficulty.)

5 MS. NORRIS: Mr. Bayong, I know we
6 chatted on Friday, and the connection was good. Was
7 it where you are now? Or --

8 THE WITNESS: I will take myself
9 somewhere I will be able to talk.

10 MS. NORRIS: I think it might also be the
11 headphones, because that was the issue last time.

12 THE WITNESS: Yes.

13 MR. DOWNEY: We can go off the record.

14 (Discussion held off the record.)

15 MR. DOWNEY: Let's go back on the record.

16 BY MR. DOWNEY:

17 Q. Mr. Bayong?

18 A. Yes, sir.

19 Q. If you need to take a break for some
20 reason, as long as a question is not outstanding,
21 just let us know and we'll accomplish that. Okay?

22 A. Yes, sir.

23 Q. Is anybody present with you physically as
24 you are being deposed today?

1 A. No.

2 Q. What is your physical location currently?

3 A. I'm in Douala, Cameroon, West Africa.

4 Q. What is the street address for your
5 current location?

6 A. It's -- Bonamoussadi. Bonamoussadi
7 Douala. 237. 237 Bonamoussadi Douala.

8 Q. Could you -- Would you mind spelling that
9 for the court reporter, just so we can get a clean
10 record?

11 A. Spell it?

12 Q. Yes, please.

13 A. All right. Bonamoussadi is B, for "boy,"
14 O, for "orange," N for --

15 MS. NORRIS: I'm going to object and
16 instruct him not to --

17 A. -- A, for "apple," M, for --

18 MS. NORRIS: Mr. Bayong, one second.
19 Mr. Bayong, one second.

20 A. -- U --

21 MR. NORRIS: Can you hear me?

22 Just one second. I'm going to object to
23 that. Because -- because --

24 MR. DOWNEY: Because why?

1 MS. NORRIS: It's not relevant.

2 MR. DOWNEY: His physical location is
3 relevant for the record.

4 MS. NORRIS: Because -- so you can --

5 MR. DOWNEY: You've already talked over
6 your witness twice. We've had two objections, I
7 think. Okay? Let him tell us his physical
8 location. It's already in the record, the name of
9 it, and the court reporter is not going to be able
10 to write that down. I couldn't understand the name
11 of the street. So --

12 MS. NORRIS: You could contact my client
13 through counsel. You would object if I had -- If I
14 asked any of your witnesses, you would --

15 MR. DOWNEY: Not his physical location of
16 the deposition. This is ridiculous. Okay? This is
17 ridiculous. His physical location is perfectly
18 appropriate and acceptable and necessary in order to
19 take down a clean record for this deposition.

20 So are you instructing your client not to
21 tell us what his street address is, where we're
22 conducting this deposition?

23 MS. NORRIS: I was. I was actually
24 saying that.

1 MR. DOWNEY: Then go ahead. If that's
2 your intention, instruct him not to --

3 MS. NORRIS: You can contact my client
4 through counsel.

5 MR. DOWNEY: Let me finish.

6 If that is your intention, please do it
7 and let's move on. It's going to be a long day.

8 MS. NORRIS: If, when it's my turn to
9 speak, you'll let me speak.

10 MR. DOWNEY: It's going to be a long
11 deposition.

12 So it's not a question of you having a
13 turn to speak.

14 MS. NORRIS: I have --

15 MR. DOWNEY: Your role is to --

16 MS. NORRIS: I am allowed to object, and
17 you will not speak over me.

18 MR. DOWNEY: No. Your role is to object
19 if you think a question I've asked is not
20 acceptable. It's not to say things. It's not to
21 make a speaking objection. None of that is
22 acceptable or appropriate.

23 MS. NORRIS: I'm not -- Let the record --

24 (Attorney cross-talk.)

1 MR. DOWNEY: Those are the rules.

2 BY MR. DOWNEY:

3 Q. Now, Mr. Bayong, are you going to finish
4 spelling the street name where you are currently at
5 for your physical presence in the deposition?

6 MS. NORRIS: Mr. Bayong, you can
7 continue. You are allowed to continue. I am
8 allowing you.

9 A. The street address is 237 Bonamoussadi
10 Douala, B-o-n-a-m-o-u-s-s-a-d-i.

11 Q. Thank you.

12 Can your state your full name for the
13 record.

14 A. My full name is Brown Bayong Bayong.

15 MR. DOWNEY: Court reporter, did you get
16 that?

17 THE COURT REPORTER: Yes. I believe he
18 said Bayong Brown Bayong.

19 THE WITNESS: No. Brown Bayong Bayong.

20 THE COURT REPORTER: Okay. Thank you.

21 BY MR. DOWNEY:

22 Q. Thank you, sir.

23 And what is your date of birth?

24 A. 12/02/68.

1 Q. Thank you for stating that.

2 And where do you currently reside?

3 A. Right now, I'm in Douala, Cameroon.

4 Q. Do you reside with anyone else?

5 A. Say that again.

6 Q. Do you live with anyone else?

7 A. Yes.

8 Q. With whom do you live?

9 A. I can't hear you.

10 Q. With whom do you live?

11 A. I live with some family friends.

12 Q. So they're friends of yours?

13 A. They are family friends, right.

14 Q. How long do you plan to stay at that

15 location?

16 A. I want to stay there as long as -- until
17 I get a place by myself.

18 Q. As you're sitting there today, do you
19 have any plans to move any time soon?

20 A. Not quite.

21 Q. When were you deported back to Cameroon?

22 A. End of the -- yes, I think the 18th of
23 May or something. The 18th of May.

24 Q. And how long had you been in the United

1 States at that time?

2 A. It was four years and some months.

3 Q. Did you live in any state other than Ohio
4 during the time that you lived in the United States?

5 A. I lived in Ohio.

6 Q. Anywhere else while you were in the
7 United States?

8 A. Living? I lived in Ohio.

9 Q. Yes. But my question is: Did you live
10 in any other state?

11 A. I traveled, but I lived in Ohio.

12 Q. Okay. Is Ohio the only state you lived
13 in in the United States?

14 A. No. I lived in Ohio.

15 Sorry.

16 Q. Okay.

17 A. Right.

18 Q. Were you ever in Maryland?

19 A. Say that again.

20 Q. Were you ever in Maryland?

21 A. I went to Maryland for visiting. I did
22 not live in Maryland.

23 Q. Are you still legally married to
24 Veronica?

1 A. Still legally married.

2 Q. So you are?

3 A. Still legally married, yes.

4 THE COURT REPORTER: I'm sorry. Did you
5 say "still legally married" or "illegally married"?

6 THE WITNESS: Still legally married. We
7 are married. That's what I mean.

8 THE COURT REPORTER: Thank you.

9 BY MR. DOWNEY:

10 Q. Now, did Veronica file for divorce in May
11 of 2022?

12 A. I don't know. That, I don't know.

13 Q. Are you aware that -- of the fact of any
14 divorce proceeding with Veronica?

15 MS. NORRIS: Objection. This is not a
16 family law matter. Relevancy.

17 MR. DOWNEY: Inappropriate objection.

18 BY MR. DOWNEY:

19 Q. Are you aware of the fact that -- of a
20 divorce case with Veronica?

21 A. That, I'm not aware of.

22 Q. Have you been married to anyone else?

23 A. No.

24 Q. What date did you marry Veronica?

1 A. Say that again.

2 Q. When did you marry Veronica?

3 A. I married her in March of 2018.

4 Q. Prior to 2019, prior to being
5 incarcerated, what was your source of income?

6 A. I was a truck driver.

7 Q. Where did you work?

8 A. I used to do deliveries for a company
9 they called Ryder's (phonetic.) Cameroon Ryder's
10 and ADE Movers.

11 Q. Can you spell the name of your employer?

12 A. Say that again.

13 Q. Can you write the name of your employer?

14 A. Yeah. Ryder's, R-a-d-y-s -- -d-e-y-s.
15 R-a-d-e-y-s. Ryder's.

16 Q. And how long did you work there?

17 A. I worked there for, like -- probably like
18 a couple of months or something. I can't remember.
19 I worked there not too long. It was -- I can't
20 remember.

21 Q. Do you know what your rate of pay was?

22 A. Say that again.

23 Q. What was your salary there?

24 A. I can't remember.

1 Q. Did you work with any other employers
2 through you time in the United States?

3 A. I was working with ADE Movers. At one
4 point, I did deliveries for Menard's.

5 Q. How long did you work at ADA [sic]
6 Movers?

7 A. ADE Movers was a company that me and my
8 wife had. We both had the company. So we were
9 with -- did contracts from other companies. I was
10 working for the ADE Movers as well.

11 Q. Did you say you were an owner/operator of
12 ADA Movers?

13 A. Yes. My wife had the company, so I was
14 working on the company.

15 Q. How many hours a week did you work for
16 ADA Movers?

17 A. Say that again.

18 Q. How many hours was your workweek?

19 A. I can't remember. I have been
20 incarcerated for a long time. I think my mental
21 health issues have affected it. I can't remember.

22 Q. Have you ever treated with any healthcare
23 practitioner for mental health concerns?

24 A. I think I met a couple of them. I can't

1 really remember. I can't remember.

2 Q. As you sit here today, is it fair to say
3 that you can't remember receiving any treatment for
4 mental health challenges that you may have?

5 A. I can't remember. Right. I can't
6 remember. I don't think I had. I can't remember
7 anything.

8 Q. Have you taken any steps to find
9 employment?

10 A. Say that again.

11 Q. Are you currently employed?

12 A. Right now, I'm not employed.

13 Q. Have you taken any steps to obtain
14 employment?

15 A. No. Not right now.

16 Q. Okay. Are you under any physical
17 restriction by any healthcare practitioner from
18 being able to work?

19 A. I -- I haven't met any as yet, for the
20 moment.

21 Q. Has any doctor or person affiliated with
22 a healthcare practitioner that you've visited --

23 A. I'm intending to visit a doctor.

24 Q. -- advised you that you are not to work

1 for any reason?

2 A. I am intending to visit a doctor. I am
3 intending to visit a doctor next week.

4 Q. So my question is: As you sit here
5 today, has any doctor or other healthcare
6 practitioner ever advised you that you're physically
7 unable to work?

8 A. Like I said, I still have to meet a
9 doctor. Yeah, I am intending to meet somebody to
10 give me an answer to that. I am intending to see
11 somebody for that.

12 Q. But my question -- I understand that you
13 are planning to see a doctor next week. Is that
14 correct, Mr. Bayong?

15 A. Yes, sir.

16 Q. But as you sit here today, is it fair to
17 say that no healthcare practitioner has ever advised
18 you that you have physical limitations from
19 performing work?

20 A. That, I can't remember.

21 Q. Have you treated with any healthcare
22 practitioner since your return to Cameroon?

23 A. I still have to.

24 Q. Excuse me?

1 A. I still have to meet them.

2 MS. NORRIS: He hasn't seen anyone.

3 BY MR. DOWNEY:

4 Q. You haven't seen anyone, Mr. Bayong?

5 A. Yes. I said I still have to see them,
6 yes.

7 Q. Okay. So as you sit here today, you
8 haven't seen anyone yet; is that correct?

9 A. Yeah. I said I haven't seen any of them
10 yet.

11 Q. And I apologize for the delay that's
12 taking place. I'm trying to do this as quickly as I
13 can.

14 Who do you intend to see next week?

15 A. I have to see some doctors and mental
16 health practitioners.

17 Q. Do you currently have an appointment with
18 any healthcare practitioner?

19 A. Currently have employment?

20 Q. An appointment with any healthcare
21 practitioner. Do you have any appointment with
22 anyone?

23 A. No. I still have to set it up.

24 Q. Okay. Now, have you -- Were you declared

1 indigent by the Franklin County Municipal Court in
2 January of 2020?

3 A. Say that again.

4 Q. Were you declared indigent, or unable to
5 pay for legal counsel, when you appeared in muni
6 court in January of 2020?

7 A. I can't remember.

8 Q. Did you ever physically pay any of the
9 lawyers who represented you for various criminal
10 matters over the last four years?

11 A. Yeah. I think I did, yes. Sure. Yeah,
12 I think so. Yes.

13 Q. Who did you pay? And not with respect to
14 your current case, but just with respect to the
15 criminal matters.

16 A. I can't remember the name of that law
17 firm, but I think it's -- oh, I think I paid it to
18 the law firm and -- oh, I can't remember the name of
19 that law firm which I paid again.

20 Q. Okay. Had you been in America prior to
21 coming in 2018?

22 A. No.

23 Q. Where did you live prior to coming to the
24 United States in 2018?

1 A. I left Douala.

2 Q. I didn't understand you.

3 A. I left Douala. I left Douala.

4 Q. Spell that for me.

5 A. I left Cameroon.

6 Q. Oh, Cameroon. Okay.

7 Is that where you've lived your whole
8 life?

9 A. Yes.

10 Q. Did you graduate from high school?

11 A. Yes, sir.

12 Q. And what year did you graduate?

13 A. I can't remember, sir. I can't remember.

14 Q. Do you have any post-high school
15 education?

16 A. Say that again.

17 Q. Do you have any post-high school
18 education?

19 A. Yes.

20 Q. Can you tell me about that?

21 A. I got a -- I mean, it was educated over
22 here. It's different from what you guys do in the
23 United States. So I don't know -- When you talk
24 about high school education, I don't know what

1 you're talking about.

2 Q. Do you have a diploma in international
3 trade and transit?

4 A. Yes. Yes. Yeah, I do. I do. Global
5 Professional Training Center.

6 Q. And that's in Douala, Cameroon; correct?

7 A. That's in Douala, Cameroon. Right.

8 Q. And what year did you obtain that degree?

9 A. I don't know. I can't remember. Maybe
10 2013 or '12 or something like that. I can't
11 remember. I think '12 or '13. I can't remember.

12 Q. Can you briefly tell me your employment
13 history in Cameroon prior to coming to the United
14 States.

15 A. I was working with a transit firm in
16 Douala, working at the Douala seaport with a transit
17 firm.

18 Q. What were your job duties and
19 responsibilities?

20 A. I was a transit guy. I was working at
21 the port in import and export. Import and export
22 from the port.

23 Q. So what does that mean? Were you loading
24 trucks or --

1 A. Not loading trucks. Putting containers
2 that go on transit and clearing containers that come
3 into our import or from export service.

4 Q. Were you physically assisting with the
5 moving of the --

6 A. I wasn't physically -- I wasn't
7 physically moving. I was doing the paperwork and
8 then doing the exportation. And during the
9 exportation, they remove the container from the port
10 and stuff like that.

11 Q. What was your salary for that position?

12 A. That, I can't remember. I can't
13 remember.

14 Q. Do you file anything like tax returns in
15 Cameroon?

16 A. Not to the best of my knowledge.

17 Q. What was the name of the employer that
18 you worked for when you were doing your transit
19 position?

20 A. I did work with BB Trans. I worked with
21 BB Trans.

22 Q. What was your reason for coming to the
23 United States?

24 A. I got married to my wife, and we had to

1 move. I had to move. We had to be together.

2 Q. Is she an American?

3 A. She is.

4 Q. Did you meet her in Cameroon?

5 A. Yes.

6 Q. Do you have any children with Veronica?

7 A. No.

8 Q. Do you have any children at all?

9 A. Yes, I do. I do have two kids.

10 Q. What are their names and ages?

11 A. My boy, Carson, is 11. And then my
12 daughter, Favour, which is five.

13 Q. Can you spell that name.

14 A. F-a-v-o-u-r.

15 Q. Where do they currently reside?

16 A. Carson is in the U.S., and Favour is in
17 Cameroon.

18 Q. Do you live with either of your children?

19 A. Not at the moment.

20 Q. When is the last time you've seen either
21 of your children?

22 A. I spoke with my son yesterday; my
23 daughter as well.

24 Q. Have you been married to anyone other

1 than Veronica?

2 A. No.

3 Q. Now, was Franklin County the first place
4 that you were incarcerated in the United States?

5 A. No.

6 Q. Tell me about the first time you were
7 incarcerated and where you were.

8 A. I was incarcerated at Butler County. It
9 started in Butler County.

10 Q. Now, I just want to make sure I
11 understand the records, Mr. Bayong. Did you spend
12 time in the Franklin County Jail prior to going to
13 the Butler County Jail?

14 A. Prior to Butler County Jail?

15 Q. Yeah.

16 A. No. I was first incarcerated in -- first
17 incarcerated in Butler County.

18 Q. Did you spend any time in the Morrow
19 County Jail?

20 A. Yes, I did.

21 Q. Okay. Was that prior to Butler County?

22 A. That was the second time, which I was
23 incarcerated in Butler before. And then I went to
24 Franklin. And after Franklin, I came back -- I came

1 to Morrow. From Morrow, I went back to Butler.

2 Q. So were you an ICE detainee?

3 A. Yes.

4 Q. And what is your understanding of what an
5 ICE detainee is?

6 A. I don't have -- I don't know. They said
7 I had immigration -- They detain me for immigration
8 violation.

9 MS. NORRIS: Daniel, if I may, my intern
10 is in the waiting room, and I wanted her to . . .

11 MR. DOWNEY: Oh, I'm sorry. Hold on.

12 (Ms. Spurgin joins the proceeding.)

13 BY MR. DOWNEY:

14 Q. So, Mr. Bayong, I have you entering the
15 Butler County Jail on June 5, 2020. Does that
16 square with your recollection?

17 A. I can't remember the date. I can't
18 remember. But -- I can't remember. I think it
19 was -- I don't know. I just know in Butler County
20 in 2020. I can't remember the date or month.

21 Q. If I represented to you that you first
22 arrived there on June 5th of 2020 and that you were
23 released to ICE custody on December 9, 2020, would
24 you have any reason to disagree with me?

1 A. I wasn't released. I was staying in
2 custody. I stayed in ICE custody until I was
3 transferred. Because they had a detainer -- they
4 had an ICE detainer on me when I was transferred.
5 So I wasn't released.

6 Q. Okay.

7 A. I stayed in ICE custody.

8 Q. Okay. And I didn't mean to suggest you
9 were released. It's just you were transferred to a
10 different location --

11 A. Yes, sir.

12 Q. -- on December 9th.

13 A. Right.

14 Q. I just want to make sure we have the
15 dates correct for when you were in Butler County.

16 A. I don't know. I don't know anything
17 about the dates, sir.

18 MS. NORRIS: You know the records -- I'm
19 sure there's records of that from the jail.

20 MR. DOWNEY: Yeah, we've got those.

21 BY MR. DOWNEY:

22 Q. Where did you go directly after Butler
23 County?

24 A. Franklin County.

1 Q. And is it fair to say that you weren't
2 treated for any medical issues during your time in
3 Franklin County, after leaving the Butler County
4 Jail?

5 A. I can't hear you. Can you say that
6 again?

7 Q. Would it be fair to say that you weren't
8 treated for any medical conditions in Franklin
9 County after being released from the Butler County
10 Jail?

11 A. Medical conditions?

12 Q. Correct.

13 A. I think -- Yeah. Franklin County was way
14 better than Butler. I don't know. Because they
15 took me to the hospital once or something like that.
16 I don't know. I can't remember. I think it was
17 there.

18 Q. Yeah. And I don't -- And my question is
19 very specific, though, Mr. Bayong. Did you receive
20 any medical treatment from any healthcare provider
21 after being transferred from the Butler County Jail
22 on December 9, 2020?

23 A. I can't remember. I think so. Yes, I'm
24 sure. But I can't remember.

1 Q. Did you review any documents prior to
2 your deposition today to refresh your memory,
3 Mr. Bayong?

4 A. I did.

5 Q. Did you review any medical records that
6 you had from your time being incarcerated in the
7 United States?

8 A. No.

9 Q. Did you review any medical documents
10 regarding your stay in any jail or prison in the
11 United States, with the exception of Butler County,
12 Ohio?

13 A. I did not.

14 Q. Now, did you enter the Geauga County Jail
15 in June of 2021?

16 A. I can't remember, sir. I can't remember
17 those dates. I remember I was in Geauga County. I
18 can't remember.

19 Q. Okay. And let me ask you this,
20 Mr. Bayong. During the time that you treated for
21 health conditions while you were incarcerated in the
22 United States, were you truthful and honest with
23 those healthcare practitioners who attempted to
24 assist you?

1 A. Yes.

2 Q. Did you sign various documents during the
3 time that you were incarcerated at the various jails
4 and prisons in the United States between 2019 and
5 your ultimate deportation in 2022?

6 A. I can't remember signing anything. I
7 can't remember signing anything.

8 Q. What does it mean to you when you sign
9 your name to a document?

10 A. Say that again.

11 Q. What does it mean to you when you sign
12 your name to a document?

13 A. I don't know. I mean, just like putting
14 my name on a document saying that, oh, these people
15 agree to carry out, you know, medical treatment or
16 stuff. I don't know. I don't know.

17 MS. NORRIS: Are you -- Just to clarify,
18 are you talking in general or in the context of the
19 medical -- providing medical --

20 MR. DOWNEY: Just in general. You know,
21 I just wanted to know what his thought was on it.

22 MS. NORRIS: Okay. Okay. So generally.

23 MR. DOWNEY: Which, I mean, I think he
24 told me.

1 MS. NORRIS: Generally -- Did you want
2 further clarification? I think he was talking,
3 actually, in the medical context when he received
4 ibuprofen or something and he didn't feel like there
5 was complete medical attention.

6 MR. DOWNEY: Well, my question was "any
7 document."

8 BY MR. NORRIS:

9 Q. Mr. Bayong, you were asked to sign
10 various documents during the time you were
11 incarcerated; correct?

12 A. I can't remember. I still can't remember
13 documents -- signing documents or not. I can't
14 remember that.

15 Q. When you went for the first time to a new
16 facility, were you asked questions about your
17 overall physical health and well-being at the time
18 that you were admitted to a new facility?

19 A. When I move to a new facility, they don't
20 give you the time to ask those questions. They just
21 book you and take you to your cell. They don't give
22 you any time to ask questions.

23 Q. Okay. So did you -- Do you have any
24 recollection, as you sit here today, of answering

1 questions regarding your overall physical and mental
2 well-being at the times that you were admitted into
3 various jails and prisons in the United States
4 between --

5 A. I can't remember. I can't remember.

6 Q. Let me finish the question. Okay?

7 -- between 2019 and your departure in
8 2022?

9 A. I can't remember.

10 Q. Okay. So would you agree with me that if
11 there are records of questions and answers being
12 given to you and answers provided by you the various
13 times that you were admitted into the facilities,
14 that that would be a better source of whether you
15 were asked those questions than your memory?

16 A. I can't remember. Honestly, it's been
17 long. I feel like -- I told you I've been fucked up
18 mentally. So I can't really remember most of those
19 things. So I don't know.

20 Q. And I understand that you're having
21 memory issues with respect to, you know,
22 incarcerations. And you were moved around quite a
23 bit while you were in the United States. But my
24 question is a specific one, which is a "yes" or

1 "no." If there are records that showed that you
2 were asked questions and you did provide answers,
3 would you have any reason to disagree with that?

4 A. Maybe they ask some questions and then --
5 You know, because when you get in there, it's just
6 like -- they'll still be using like -- they'll be
7 putting some kind of pressure on you and stuff like
8 that. You know, sometimes they do -- don't even
9 sign. Like, I can remember in Butler County I did
10 not sign anything over there. Those papers in
11 Butler County, you won't see my signature there. I
12 remember one time they just pulled the paper away
13 from me and dropped it over there. I don't think my
14 signature is on any of those papers. I don't think
15 so.

16 Q. Let me ask you this, Mr. Bayong. As you
17 sit here today, do you recall complaining of any
18 medical -- physical or mental issue during the
19 admittance process in any jail or prison while you
20 were incarcerated in the United States between 2019
21 and your departure in 2022?

22 A. Physical? Did you say physical?

23 Q. I said physical or mental condition.

24 A. I can't remember, sir.

1 Q. Did you have any physical altercations
2 with inmates during the time that you were in the
3 Geauga County Jail?

4 A. Yes, I think I did once.

5 Q. And what happened?

6 A. I can't remember. I can't remember all
7 that happened during that incident. But it was some
8 kind of -- I don't know if it was some kind of
9 racial slur that was used or something. So I can't
10 remember or something. I can't -- I'm trying to
11 remember what happened.

12 Q. Do you recall where you were when the
13 incident occurred?

14 A. Where I was?

15 Q. Yeah. Was it in a day area? Were you in
16 a cell? Please tell me what happened.

17 A. In the day area. It was in the day area.
18 It was in the day area.

19 Q. Did you punch another inmate?

20 A. I did. We had a physical confrontation.

21 Q. Who was it?

22 A. Who was it? I can't remember his name.
23 I can't remember.

24 Q. And what led to the altercation?

1 A. I said was -- I can't actually remember
2 what happened. But he used some kind of a racial
3 slur or something or said something, which in
4 that -- which started the whole confrontation.

5 Q. Did you have any other physical
6 confrontation with any other inmates at any facility
7 during the time that you were incarcerated in the
8 United States between 2019 and your departure in
9 2022?

10 A. That, I can't remember.

11 Q. What is your understanding of why you
12 were put into ICE custody in 2020?

13 A. Say that again.

14 Q. What is your understanding of why you
15 were put into ICE custody in 2020?

16 A. I don't know. Because of immigration
17 violations. That is what I know. That is what I
18 know. I don't know why I was put in ICE. It was
19 because of immigration violation.

20 Q. I'm sorry. I didn't understand what you
21 said, Mr. Bayong. Could you repeat that slower.

22 A. Because of immigration violations.

23 Q. Do you know what those immigration
24 violations were?

1 A. I don't know.

2 Q. It's an immigration violations to be
3 convicted of domestic violation with your spouse.

4 A. I think so.

5 Q. Did you have a physical altercation with
6 your spouse, Veronica?

7 A. She claimed I had a physical
8 confrontation with her. But whatever. Like, it
9 is -- it wasn't what I did, but that is what she
10 claimed.

11 Q. Okay. Did you ever plead guilty to a
12 domestic violence violation with Veronica?

13 A. I plead guilty -- I plead to a criminal
14 mischief. I pleaded guilty to a criminal mischief,
15 and I was -- the jury found me not guilty for
16 domestic violence. They found me guilty for
17 domestic violence, but . . .

18 Q. Did you ever hit Veronica?

19 A. Say that again.

20 Q. Did you ever hit Veronica?

21 A. No.

22 Q. What was the basis of her allegation of
23 domestic violence?

24 A. She claimed -- She called the police and

1 claimed that she was hit on her finger. So -- and
2 she claimed she was hit multiple times on her
3 shoulders. So that was it.

4 Q. Have you been convicted of any criminal
5 acts, other than criminal mischief and domestic
6 violence?

7 A. I have no conviction other than those
8 two.

9 Q. I'm sorry. I didn't understand that.

10 A. I said I have no other convictions other
11 than those two.

12 Q. Was anyone present besides you and
13 Veronica when the domestic violence issues occurred?

14 A. Her son was there. We had a -- I had
15 my -- a stepson at home as well.

16 Q. Just so I'm clear, did you -- were you
17 sentenced to 180 days in jail and probation in the
18 Franklin County domestic violence charge?

19 A. I can't remember.

20 Q. If I represented to you that that was
21 your sentence, would you have any reason to disagree
22 with me?

23 A. If you say so. I can't remember. If you
24 want to say it, and you say so, I don't know.

1 Q. And did ICE take you into custody upon
2 your release from the Franklin County Jail?

3 A. Yes. Because I had a detainer, so I
4 couldn't leave. Yes.

5 Q. Now, in March of 2021, a Franklin County
6 jury found you guilty of domestic violence; correct?

7 A. Correct.

8 Q. And then you were sentenced to 11 months
9 in prison; is that right?

10 A. I think so. I don't know.

11 Q. And you were to have no contact with
12 Veronica; correct?

13 A. I think so. Correct.

14 Q. And you voluntarily -- Did you
15 voluntarily dismiss your appeal from that domestic
16 violence conviction?

17 A. I can't remember. I don't know. I can't
18 remember.

19 Q. Have you been incarcerated at any point
20 in time prior to coming to the United States in
21 2018?

22 A. I have never been incarcerated. I was
23 just held in a jail for, like, a day, half a day.
24 Only for, like, a day. But . . .

1 Q. Was this in Cameroon?

2 A. Yes.

3 Q. What was the reason for that?

4 A. That was for political -- political
5 reasons.

6 Q. I'm sorry. I didn't understand your
7 answer, sir.

8 A. Political reasons.

9 THE COURT REPORTER: He said political
10 reasons.

11 BY MR. DOWNEY:

12 Q. And you were released after one day?

13 A. Same day. Same day. I didn't spend --
14 it was just some hours.

15 Q. You sued somebody named Robert Van Gundy
16 in Franklin County Municipal Court. Why did you sue
17 Mr. Van Gundy?

18 A. Robert what?

19 Q. Robert Van Gundy.

20 A. Robert Van Gur?

21 Q. V-a-n G-u-n-d-y.

22 A. Why did I sue him?

23 Q. Correct.

24 A. Robert Van Gundy? In Franklin County

1 Jail?

2 Q. It was in Franklin County Municipal
3 Court, and the date of it is 2018, prior to, I
4 believe, your incarceration. I'm just curious to
5 know why you sued Mr. Van Gundy.

6 A. Robert Van Gundy? I can't remember about
7 that incident. I think -- I think I sued somebody
8 for -- I don't know. I think somebody -- I think I
9 bought a pickup truck, and the guy took my money
10 with the truck. He didn't give me my money, but --
11 He took my money, and he didn't deliver the truck to
12 me. So I sued him. And he was ordered to give me
13 back the money. I think so. I can't remember.
14 Something like that. I can't really remember.

15 Q. Now, on August 17, 2020, you alleged that
16 you were pushed down the stairs by a Butler County
17 officer; is that correct?

18 A. Right.

19 Q. What is the officer's name?

20 A. I can't remember the name. I don't know
21 the name.

22 Q. Do you recall who pushed you?

23 A. I don't know the name of the officer who
24 came.

1 Q. Can you tell me what happened.

2 A. They came in the room, and they asked me
3 to pack my stuff. As I was packing my stuff, they
4 just starting being so abusive and shouting. And
5 they started hitting me in the room. And they
6 pulled me out and say, "Hurry up. Hurry up and
7 leave."

8 So as I was going down the stairs, my --
9 I had pains in my legs. I had pain in my legs. I
10 had swollen legs. I had swollen legs, so I had pain
11 in my legs. So I couldn't really walk freely or
12 faster. I was down the stairs, and I was, like,
13 going down gradually. And I heard him -- like, he
14 got upset. And I said -- somebody got upset and
15 said I should move faster. So as I was moving, I
16 just felt a push from the back. Somebody pushed me
17 from the back -- pushed me, and then I fell and my
18 head hit, full-on on my face.

19 Q. So just so I understand --

20 A. So I hurt my neck, and I had some bruises
21 on my knee.

22 Q. So you're required -- You were on the
23 second level of the pod; is that correct?

24 A. Yes, sir.

1 Q. And you had a cellmate; is that correct?

2 A. Yes, I had a cellmate.

3 Q. And do you know why you were being moved?

4 A. I think for -- I was going for -- to be
5 put in isolation or something.

6 Q. Why is that?

7 A. I was going to the hole or something.

8 Q. Do you know why you were being moved to
9 isolation?

10 A. Yeah. Because they said I -- they said I
11 wasn't wearing my mask properly. I was wearing my
12 mask below my nose.

13 Q. Were you wearing your mask below your
14 nose?

15 A. Say that again.

16 Q. Were you wearing your mask below your
17 nose?

18 A. I just came back from the gym, and it was
19 difficult for me to breathe. It was very difficult
20 for me to breathe. And I had to bring my mask a
21 little bit below my nose so I could breathe better.
22 And then they gave me a ticket for not wearing the
23 mask.

24 Q. Did folks advise you to wear the mask

1 properly?

2 A. They just had COVID, so we were told to
3 wear masks. So it's not like they said how to wear
4 them properly. We were just told to wear masks.
5 And the mask was below my nose. And they have the
6 cameras -- they have the videos on that day. You
7 could see that on the videos.

8 Q. I didn't hear --

9 A. They record everything that happened that
10 same day, the day I have the mask on.

11 Q. Do you know how many officers came to
12 your cell?

13 A. No. I can't recall. I think three or
14 four. I mean four or something. I can't remember.

15 Q. Do you know any of their names?

16 A. The officers in that pod that was there
17 that day, Browning. And the rest of the officers, I
18 didn't know their names. He was in the pod that
19 day. So he should get us -- he should have an
20 understanding of what was happening.

21 Q. Did any officer physically touch you?

22 A. Yes. I had --

23 Q. Let me ask you, if you would, because I'm
24 going to break it up. Okay?

1 Did any officer physically touch you
2 during the time that you were in the cell?

3 A. Inside the cell?

4 Q. Correct.

5 A. Right. Yes.

6 Q. Who touched you?

7 A. I can't remember. I don't know their
8 names. I can't say A or B. It was just punching.
9 There was punching. It was punching, closed fists.

10 Q. Okay. Were there other -- There was
11 another inmate present; is that correct?

12 A. The inmate was on his bunk. He was down
13 on his bunk, yes.

14 Q. What was the name of the other inmate
15 that was present?

16 A. I can't remember. I can't remember.
17 There was multiple inmates.

18 Q. Now, is it fair to say that you were not
19 cuffed at all that day when you were transferred to
20 another cell?

21 A. I can't remember if I was cuffed or not
22 in that cell. I can't remember. You know, I can't
23 remember. I don't have -- I can't remember if I was
24 cuffed.

1 Q. What portions of your body were impacted
2 by any corrections officer touching you during the
3 time that you were in the cell, prior to being taken
4 to another cell on August 17, 2020?

5 A. While I was in the cell, they were
6 punching at me. They were, like, punching at me and
7 then they took me out of the cell. They took me
8 downstairs -- took me to the isolation. When I fell
9 down the stairs, I was later taken to isolation back
10 through the -- the sports -- the sports center where
11 they do sports. They took me to recreation, and
12 then I went to isolation.

13 Q. As you sit here today, can you tell me
14 any portion of your body that was impacted by any
15 corrections officer within the cell?

16 A. From the first, I was pushed. And since
17 then, I have pain on my neck. I have pain in the
18 neck, and I have some bruises on my knee. I have
19 some bruises on my knee.

20 Q. And so my question is specific to the
21 actual cell. I understand that -- We're going to
22 talk about your walk down the stairs -- okay? -- and
23 what happened after that event. But I'd like sort
24 of break it up and find out if any portion of your

1 body -- As you sit here today, do you recall any
2 portion of your body being impacted improperly by
3 any corrections officer in the cell itself?

4 A. I mean, multiple people were hitting me,
5 so I can't say anything. They were hitting me all
6 over, so I can't say anything.

7 Q. So is it your testimony today that you
8 were hit on your body all over while you were in the
9 cell?

10 A. I mean, like, it was just like, boom.
11 They were hitting me all over my body, but it was
12 just punches, like, closely.

13 Q. Where did --

14 A. I can't remember. It's been long.

15 Q. So as you sit here today, would it be
16 fair to say that you don't require any -- or you
17 don't recall any specific area of your body being
18 impacted improperly by any corrections officer
19 during the time that you were in your cell?

20 A. At this moment, I can't recall.

21 Q. Now, how many officers guided you out of
22 the cell and down the stairs?

23 A. I can't remember.

24 Q. Was an officer walking in front of you,

1 beside you or behind you when you were going down
2 the stairs?

3 A. It was behind me or something like that.
4 I think -- I don't know. I think one -- two or
5 something. I think two were behind me and then one
6 was by the side with me. Something like that. I
7 can't remember. One was by the side with me. I
8 can't remember.

9 Q. Okay. Now --

10 A. That's it.

11 Q. -- as you sit here today, do you have any
12 specific recollection of any corrections officer
13 physically pushing you during the time that you were
14 on the stairs and walking down to the first level of
15 the pod?

16 A. I do not have any recollection of any
17 corrections officers. But if I see one, I will be
18 able to -- I will be able. I can't remember.

19 Q. How many stairs did you fall down?

20 A. I think from six -- it was six or
21 something like that. I think six. I can't really
22 remember. I think so.

23 Q. What portion of your body impacted the
24 floor first when you fell?

1 A. When I fell, I hit my -- I fell face
2 first. Face first. Face first.

3 Q. And let the record reflect that you put
4 your hands out. Is that correct?

5 A. Yes. Yes. I hit my head. I actually
6 hit my head. Face first. It was face first.

7 Q. Did your open hand impact the floor
8 first?

9 A. What is it?

10 Q. Did your open hand impact the floor
11 first?

12 A. I can't -- I can't remember. I just -- I
13 remember I fell face first. I can't really remember
14 what actually happened. I can't really remember.
15 It's been too long.

16 Q. Did you experience --

17 A. I mean --

18 Q. Did you experience any physical
19 discomfort as a result of the fall?

20 A. Yes. My neck. All over my neck. My
21 whole neck was in pain. I had pain all over my
22 neck.

23 And my knee. I had pain all over my
24 knee. And bruises on my knee. So that's it.

1 MS. NORRIS: You know, if you -- I mean,
2 his sworn statement might bring up some of these, if
3 you want to get in detail a little bit.

4 MR. DOWNEY: No. I'm just -- I mean,
5 I'll conduct the deposition and ask the questions
6 that I want.

7 MS. NORRIS: Yeah. I was just saying you
8 can actually --

9 MR. DOWNEY: I know.

10 MS. NORRIS: It sounds like he's having
11 trouble recalling.

12 MR. DOWNEY: I know.

13 MS. NORRIS: So if you wanted to look at
14 his statement, like if you have that statement up.

15 MR. DOWNEY: I know. I mean, I prefer to
16 do it the way I'm doing it.

17 MS. NORRIS: Okay. Okay.

18 THE WITNESS: I don't know if I can have
19 a drink to -- Let me get some water or drink or
20 something like that.

21 MR. DOWNEY: I'm sorry?

22 THE WITNESS: Can I have some water? Can
23 I drink some water?

24 MS. NORRIS: Yes. Absolutely.

1 MR. DOWNEY: Did you want to take a brief
2 break?

3 MS. NORRIS: Yeah.

4 MR. DOWNEY: Go ahead. Why don't we come
5 back in, like, five minutes.

6 THE WITNESS: Yeah.

7 MR. DOWNEY: Is that good?

8 THE WITNESS: Yes.

9 MR. DOWNEY: 10:05 Eastern Time.

10 MS. NORRIS: Actually, let's -- can we --
11 Is it possible to take a 10-minute break? I just
12 wanted to, like, have a brief minute with my client.

13 MR. DOWNEY: I guess 10 is fine.

14 (Recess taken.)

15 BY MR. DOWNEY:

16 Q. Okay. Mr. Bayong, can we just -- You're
17 muted.

18 MS. NORRIS: Is it muted on your end,
19 Mr. Bayong?

20 THE WITNESS: Please, let me see. I can
21 hear you.

22 BY MR. DOWNEY:

23 Q. All right. Mr. Bayong, we just took a
24 break; is that correct?

1 A. Yes, sir.

2 Q. And did you review any documents during
3 the break?

4 A. No.

5 Q. Just so that I'm clear, did any officer
6 push you down the stairs on August 17, 2020?

7 A. I know they pushed me down. I can't
8 really remember. In August. Yes, I think so.

9 Q. Could you please restate your answer?

10 A. I said yes.

11 Q. Okay. Do you recall who?

12 A. Say that again.

13 Q. Do you know who pushed you?

14 A. I don't know.

15 MS. NORRIS: Just -- I think the date was
16 actually August 13th. That was the date in
17 question.

18 MR. DOWNEY: I've got August 20th -- or
19 17th.

20 MS. NORRIS: I have August 13th here.

21 Oh, no. You're right. You're right. It
22 is August 17th. That's right.

23 MR. DOWNEY: I'll stipulate that he
24 wasn't pushed on either date.

1 No, I'm just kidding.

2 BY MR. DOWNEY:

3 Q. Okay. So as you sit here today,
4 Mr. Bayong, do you recall any conversation that you
5 had with any corrections officer immediately
6 following your fall on August 17, 2020?

7 A. I can't recall.

8 Q. Did any officer say anything to you that
9 you found offensive on that day?

10 A. I can't recall. I can't remember.

11 Q. Do you recall any inappropriate language
12 or racist language used by any officer on August 17,
13 2020, either in the cell or in the aftermath of the
14 fall?

15 A. You mean using the racist language with
16 all of us?

17 Q. No. I'm asking if any officer used that
18 language with you.

19 A. They have been using that language a lot
20 over there. So I can't remember any day. That's --
21 I can't remember that day. So I can't remember. I
22 can't remember a specific day. Because it's
23 something they used all the time at that jail.

24 Q. What are some of the specific terms that

1 you've -- inappropriate terms that you've heard
2 corrections officers use, generally, at the Butler
3 County Jail?

4 A. They are calling me "goat," "monkey."
5 You know, saying -- I don't know. "I don't know
6 what Nancy Pelosi and Barack Obama did before you
7 guys came over here." You know, "I don't know how
8 you guys came over here. Who let you guys come over
9 here?" So they've been saying a lot of things. A
10 lot of -- a lot of things.

11 Q. Do you recall the name of any specific
12 officer who uttered any of the words that you just
13 shared with us?

14 A. I think --

15 MS. NORRIS: Just a point for
16 clarification. Is that on August 17th?

17 MR. DOWNEY: No, generally.

18 MS. NORRIS: Oh, just generally.

19 A. A. Roberts. And that's the one I know.

20 A. Roberts and somebody -- a sergeant or something
21 like that. I can't remember his name.

22 Q. Can you recall the circumstances
23 surrounding words to the effect that you testified
24 to from CO Roberts?

1 A. Words that I testified from Roberts?

2 Q. No. I want to know if you could tell me
3 the -- like, when it occurred, where it occurred,
4 that type of thing.

5 A. It was the same day they took me to
6 isolation. That was when Roberts used those words
7 with me.

8 And -- Yeah. I think one more -- another
9 day, again, which I had a visit with my lawyer --
10 which I can't remember the date. And I don't know
11 the month. I had a visit with my lawyer, and then
12 Roberts, he was physical on me, and he was using a
13 lot of the words to me.

14 Q. Is it fair to say that CO Roberts never
15 used force on you on August 17, 2020?

16 A. CO Roberts?

17 Q. Correct.

18 A. August 17th? No. I don't know. I don't
19 think so. He was wasn't there on the 17th.

20 MS. NORRIS: Are you -- If we -- I think
21 the statement does -- Yeah. I guess -- Sorry. I
22 know that you don't want to use it. So -- But it
23 definitely has more details that would refresh the
24 witness's memory.

1 BY MR. DOWNEY:

2 Q. Do you recall, Mr. Bayong, how many times
3 you sought medical attention while you were at
4 Butler County Jail in 2020?

5 A. I can't recall, sir. I can't recall,
6 sir.

7 Q. Did you seek assistance for swelling in
8 your legs, specifically on August 13, 2020?

9 A. I can't recall.

10 Q. Did you have swelling in your legs during
11 August of 2020?

12 A. Say that again.

13 Q. Did you have swelling in your legs during
14 August of 2020?

15 A. Yes.

16 Q. And did you share that with a medic at
17 the Butler County Jail?

18 A. I did.

19 Q. And were you treated for that swelling?

20 A. Just my blood pressure pills that I take.
21 I don't think I was ever treated for the swelling.
22 They just continued the blood pressure medication.
23 I don't know. They changed it sometime. I think it
24 was changed or something. I can't remember.

1 Q. Were you ever inconsistent with taking
2 medications during the time that you were at the
3 Butler County Jail?

4 A. Inconsistent?

5 Q. Correct.

6 A. I can't remember. Some days -- Some days
7 they come -- they come with the medication late.
8 Some days they come with it early and stuff like
9 that. So I don't think I was ever inconsistent.
10 There were probably some days -- you know, some days
11 without taking medication. That doesn't mean -- you
12 know, I don't know. I can't remember.

13 Q. Did you ever choose, for any reason, to
14 decline medication that had been prescribed for you
15 during the time that you were at the Butler County
16 Jail?

17 A. I can't remember. I can't remember. If
18 I declined some -- I think -- I can't remember. I
19 only know some times they had the -- I had the
20 Tylenol and ibuprofen, so I had to decline one.
21 Something like that. I can't remember if I declined
22 Tylenol or something. Because I had ibuprofen, and
23 I had Tylenol. So I had to decline one, or I had to
24 go without the other one. I couldn't take too much

1 of the medication into my system like that.

2 Q. Sir, is there anything that you would
3 like to share with me about the incident that
4 occurred on August 17, 2020, that you haven't
5 already talked about?

6 A. August 17th of 2020? So when I -- When
7 they took me out of that building to the isolation,
8 the nurse who came over there, she, too, was
9 aggressive. She was abusive, like just yelling. So
10 I told her, "If you don't want to talk to me or you
11 don't want to hear my own story, then I won't allow
12 you to attend to me." So that was exactly what I
13 told her. I told her -- I told her that -- because
14 she came, she was just yelling. She was just, like,
15 being too aggressive. And I told her, "If you don't
16 want to listen to what I have to say, or you be
17 thinking" -- "I don't think I really want you to
18 attend to me. You can just leave me alone. Just
19 leave me alone." And that was it.

20 And then I was booked into a cell that
21 same day.

22 Q. And I just -- I'm sorry, but I missed the
23 beginning part of your answer when -- Did you maybe
24 say who it was that was -- that was in a -- that you

1 had this conversation with?

2 A. That was a nurse. A nurse who came in to
3 talk to me.

4 Q. As you sit here today, was any officer or
5 healthcare practitioner at the Butler County Jail
6 fair and appropriate in their interactions with you
7 during the time that you were incarcerated there?

8 A. No. They have been -- They have been
9 abusive, like, using racial slurs to people. I
10 don't think I had any conversation with an officer
11 before. I don't think so.

12 Q. And here's my question, and I'll try it
13 again.

14 Was any healthcare practitioner or
15 corrections officer fair with you during the time
16 that you were incarcerated there?

17 A. Fair with me?

18 MS. NORRIS: Objection. I think the
19 question was "inappropriate" first. So I think
20 that's what's confusing, to say "fair" and then
21 "inappropriate." So that's just an objection to the
22 form of the question.

23 BY MR. DOWNEY:

24 Q. You can answer.

1 MR. DOWNEY: Not you.

2 MS. NORRIS: Yeah. Yeah.

3 Can you rephrase the question?

4 MR. DOWNEY: I don't think there was a
5 form issue. So I accept your objection, but I would
6 like for him to answer it.

7 MS. NORRIS: I'm not sure he understands
8 the question. So you might --

9 MR. DOWNEY: Well, he has to be the one
10 to tell me that, not you.

11 A. I don't understand you either.

12 Q. So my question was: Was anyone at the
13 Butler County Jail, anybody who worked there, were
14 they fair in their interactions with you, in your
15 opinion?

16 A. We had some few people who were fair with
17 us, like some COs. Like, we had a few COs be fair.
18 A few. Like just a few, like one or something.

19 Q. Do you recall their names?

20 A. I can't remember any of them. I think
21 Smith or something. Smith. Smith or something.

22 Q. Were any of the healthcare practitioners
23 trying to be helpful in their interactions with you
24 during the time that you were incarcerated at the

1 Butler County Jail?

2 A. I can't remember. I think one was. I
3 don't know. I can't remember. I can't remember. I
4 think it was. I don't know. I can't remember. It
5 was kind of, like, family business or something. It
6 was just like everybody was just -- had too much
7 power and so, like, shouting at people and stuff
8 like that all the time. I don't think so. I don't
9 think any of the nurses were ever fair or something.
10 Like, they just come in there and just shout at
11 people. And it was like they were really rude, like
12 really rude.

13 Q. Were you familiar with the process for
14 lodging a complaint with the Butler County Jail
15 staff while you were there?

16 A. Say that again.

17 Q. Were you familiar with the process for
18 lodging a complaint or making a kite request while
19 you were still at the Butler County Jail?

20 A. Making a kite request? For what?

21 Q. Well, for instance, one would be a
22 request for medical attention.

23 A. I think I did. Because in Butler County,
24 when you really need something, if you have a

1 headache now, you would put in a kite and wait to
2 see a nurse or something, like, in two days before
3 you can get a Tylenol or something. So I think I
4 did sometimes when I had some difficulties. I
5 needed to put in a kite and wait before they come in
6 for medication.

7 Q. But were you aware of the process, during
8 the time that you were incarcerated at the Butler
9 County Jail, to lodge a complaint regarding any
10 perceived inappropriate treatment that you may have
11 received by any corrections officer or member of the
12 sheriff's office?

13 A. I don't know. I didn't hear the final
14 part question. But can you be a little bit more
15 clear? I can't understand that question. Please.

16 Q. Well, sure.

17 MR. DOWNEY: Can you read that back?

18 (Question read back.)

19 A. If inmates lodge a complaint, the whole
20 part -- the whole part -- the whole ICE and -- the
21 whole ICE detainees, they just lodge a complaint.
22 Everybody who was an ICE detainee in that county --
23 almost everybody -- lodge a complaint against that
24 sheriff, that sheriff's office -- or that county

1 jail, rather. I think everybody did. I think I was
2 one of them. I think so, if I'm not forgetting.

3 Q. Okay. So it's fair to say that you knew
4 how to lodge a complaint if you were displeased with
5 the treatment that you were receiving; correct?

6 A. Right.

7 Q. And did you ever inspect the facility
8 during the time that you were incarcerated there?

9 A. Not to the best of my knowledge. I used
10 to see ICE visitors -- ICE come in there. But I
11 don't know if they came for any inspection. I can't
12 really remember. Because -- I can't really remember
13 if they came there for an inspection at that same
14 facility. Maybe they came there and I wasn't
15 informed or something like that. But I don't really
16 think -- I can't remember. I can't remember.

17 Q. Now, I want to understand about the
18 events of October 19th and 20th of 2020. Is it fair
19 to say that you had complained of a sore throat to
20 medical staff in October 2020?

21 A. Right.

22 Q. Okay. And so why did you complain about
23 your sore throat?

24 A. I had sore throat. I just had pain in

1 the throat -- on my throat.

2 Q. Were you concerned about --

3 A. (Inaudible.)

4 Say that again, sir.

5 Q. I'm sorry. Were you concerned about
6 COVID?

7 A. I was never concerned about COVID. I
8 just had a sore throat. And I did make a complaint
9 because it wasn't too long ago -- when was that?
10 October? It wasn't too long ago -- it was less than
11 six months when I have COVID from -- it was, like,
12 six months or something. I can't remember. It
13 wasn't too long ago when I had COVID from another
14 facility. So I had that. I was never tested for
15 COVID anyway. I just complained of sore throat.
16 Which I had sore throat. I know I had sore throat.
17 I couldn't swallow. I couldn't even drink water or
18 anything.

19 So when I complained to the medical -- to
20 the medica, they came and said I should gargle with
21 salt -- warm water and salt. So I said to them,
22 "How should I gargle with warm water and salt?
23 Where do you want me to get salt in the first place
24 in a jail? Where should I get salt?"

1 Q. Were you upset about being quarantined
2 after sharing that you had a sore throat?

3 A. I was -- I was sent to quarantine -- They
4 sent me to quarantine. They didn't tell me if that
5 was COVID or nothing. Because I wasn't tested for
6 COVID. I complained of sore throat. And they gave
7 me ibuprofen, and then later on they send me to
8 quarantine, because I was sick.

9 Q. So it's fair to say, though, that you
10 were upset that you were being moved to isolation;
11 correct?

12 A. Why isolation? Why they want to move us
13 to isolation? We asked the question why did they
14 want to move us to the other part for quarantine;
15 why they do quarantine for people in that same pod.

16 And we said, "Okay. Since you guys
17 quarantine two people in the same pod, it would be
18 nice if you guys just quarantine us over here with
19 the rest of the inmates than take us to another
20 part."

21 And then they came in there and started
22 beating us, saying we don't have any rights; we've
23 got no rights in that place. So that was it.

24 Q. And so just so that I'm clear,

1 Mr. Bayong, it's fair to say that you did not agree
2 with the decision to move you to a different cell
3 for quarantine purposes on October 20, 2020;
4 correct?

5 A. It's not like didn't agree. It's not
6 like -- it's not like I did not agree. We were
7 merely asking to talk to supervisor to understand
8 something. But, see, in Butler County, they say we
9 don't have rights. You know, that's what always
10 happen. You know, you don't have a say in anything.
11 If you ask something, they will come and beat you
12 up. So that was actually what happened.

13 Q. So just so that the record is clear, you
14 were upset that the officers who were sent to move
15 you did not share the reasons for the quarantine
16 process?

17 A. The officers who came to move us, they
18 didn't ask questions. They didn't ask us if we want
19 to pack or not. So we were packing. And by the
20 time -- within minutes when we were packing, they
21 already had one person on the floor. We already had
22 one person on the floor.

23 I was sitting on the bed, and then they
24 said, "Are you packing or not? Do you want to pack

1 or not?"

2 And I said, "All right. I am packing.
3 Let me pack." So I said, "All right. Let me pack."
4 I did not have -- I didn't even realize at the time.
5 I was thrown on the floor. They started punching
6 me, and then later on throw me on the floor, cuff my
7 hands in my back. They beat me while I was on the
8 floor, while I was cuffed.

9 Q. Just so I understand, Mr. Bayong, it's
10 your testimony that you were upset you were being
11 moved because you didn't understand the reasons
12 behind it?

13 A. That's not the question. It wasn't -- it
14 wasn't real, like, we were kind of hostile. We just
15 wanted to ask some questions. I was asking a
16 question or, like, my bunkie was asking the question
17 why we need to move to another place or why he needs
18 to be moved when he is not sick. He wasn't sick.
19 He wasn't sick.

20 Excuse me, please.

21 He wasn't sick. I was the one sick. So
22 he asked the question, "Why should I be moved when
23 I'm not sick?"

24 Q. And so how many officers were present in

1 the cell when this conversation was had?

2 A. I think there were, like -- I can't -- I
3 think there were, like, I don't know, like six or
4 so -- or five. I can't remember.

5 Q. Okay. And were you gathering your things
6 so that you could move to an isolation cell?

7 A. Right. Right. I actually transferred.

8 Q. All right. Is it your testimony that you
9 were physically accosted by at least some of the
10 corrections officers in that cell that day?

11 A. Right. Correct.

12 Q. Was it before or after you started to
13 gather your things to be moved to a new cell?

14 A. We requested for a transfer to pack our
15 things. So when they came in -- when they came in,
16 like, they didn't even want to listen. They just
17 came in and then just asked "You guys want to move?
18 You motherfuckers, you guys want to move? You guys
19 want to" -- "You guys want us to fuck you guys up or
20 something?"

21 So we were there. My bunkmate was on the
22 floor. He was being hit. He was on the floor. And
23 the next thing, when I was on my bed -- They hit me
24 too on the bed. They started punching me, and they

1 threw me on the floor, cuffed me. I was being
2 beaten on the floor.

3 Q. Okay. So can you tell me the name of any
4 specific officer who laid hands on your cellmate
5 that day?

6 A. Blankton. I think Blankton or something.
7 I can't really remember. I can't really remember.
8 I think Blankton or something. Blinkton? I don't
9 know. I can't remember his name. He laid hands on
10 my cellmate that same day.

11 And then the rest of the guys -- I was
12 sitting on the bed. The rest of the guys just came
13 and started. Because he was standing by the door,
14 and I was on the bed when they opened the door. So
15 they just started hitting us -- hitting, hitting,
16 hitting, hitting, hitting.

17 They said, "No, let's do it in here. No,
18 the camera is out there. No need to do it under the
19 camera. Or when we take them to isolation, we'll
20 throw them isolation over there."

21 Q. Do you recall specific words said by any
22 specific corrections officer that day in the cell
23 that you shared with your cellmate?

24 A. I think Blankton said -- he was telling

1 them, Roberts, "No, no. Roberts, don't go hit him
2 outside there because, you know, the camera. You
3 know, let's try cover our head. We'll go out there.
4 Let's go fuck him up in the isolation. Let's try to
5 cover our head."

6 And then he said, "Oh, you know what
7 we're going to say? We're just going to say it was
8 an assault on an officer or something like that."
9 That was -- Those were his words in that place.

10 So -- And then he -- I think it was
11 Roberts who said that -- he was calling this -- my
12 cellie and fucking with him and "Muslin" -- he used
13 a word. He used a racial word on my cellie and
14 picked up his prayer rug to flush it in the toilet.
15 So that was what actually happened in the room that
16 day.

17 Q. Did you physically come at any officer --

18 A. Never.

19 Q. -- during that -- If you'll let me
20 finish, sir.

21 A. Never.

22 Q. Did you physically come at any officer --

23 A. No.

24 Q. -- in the cell on October 20, 2020?

1 A. No. I was sitting on my bed.

2 Q. Did you lunge towards Officer Roberts at
3 any point in time?

4 A. Never. Never.

5 Q. Did you resist being handcuffed?

6 A. I never resist. I just -- I was being
7 punched. I was being beaten though. Three persons
8 were on me. I was being beaten, and they threw me
9 on the floor. I went myself on the floor. They
10 said, "Hey, go on the floor. Go on the floor."
11 They were shouting, "Go down on the floor."

12 Q. It's your testimony that there were up to
13 eight people in the cell -- six corrections -- or
14 five and you and Mr. Adem -- is that correct?

15 A. Me and Mr. Adem. I think I -- I think
16 like -- I think three was on me. And then
17 Blankton -- and I don't know if it was Blankton.
18 Because I can't remember if they cuffed my cellie.
19 They cuffed my cellie before the came to me. They
20 cuffed my cellie and put him in the dayroom, and
21 then they came to me. They cuffed me. I don't
22 know. I can't remember. I can't remember.

23 Q. Can you tell me whether any specific
24 officer physically touched any portion of your body

1 during the time that you were in the cell on
2 October 20, 2020?

3 A. Yes.

4 Q. Tell me each instance with the officer
5 and where you were touched.

6 A. They were punching me with closed fists
7 on the head. I don't know. Like, they were just
8 punching me. It was closed. They were just
9 punching. They punched from all angles.

10 Q. So it's your testimony that you were
11 punched --

12 A. And they were laughing. You know, they
13 were laughing when I was crying. "No, we're done.
14 We're done. He's crying. Look at this chicken man
15 be crying. If I were you, I wouldn't cry." They
16 were laughing at me, you know.

17 Q. So just so I understand, your testimony
18 is that you were punched various times in your head
19 and your upper body; is that correct?

20 A. Right.

21 Q. Was any other portion of your body hit by
22 any officer that day?

23 A. My face. It was my face. You know, on
24 my face.

1 Q. You were hit in your head and your upper
2 body; is that correct?

3 A. Right. They were kicking my head on the
4 ground. They were kicking my head while I was on
5 the floor.

6 Q. Okay. Can you tell whether any specific
7 officer laid hands on you by hitting or punching you
8 on October 20, 2020?

9 A. Yeah. I know A. Roberts was there. The
10 other two guys was -- A. Roberts was in there.
11 There was a guy with a K-9 and one of the same guys.
12 I don't know their names. I don't know their names.
13 I just know A. Roberts and that other guy they call
14 Blankton. Blankton, yes.

15 Q. And I understand your testimony is that
16 you recall them being -- Roberts and Blankton being
17 in the cell on October 20, 2020. Is that correct?

18 A. Yes.

19 Q. Do you have any recollection of either
20 one of those gentlemen physically touching you in an
21 inappropriate manner on October 20, 2020?

22 A. I said -- in an inappropriate manner or
23 beating me?

24 Q. Either.

1 A. Yes. I said A. Roberts. A. Roberts and
2 the other two guys, who I can't recall their names.
3 And they hurt my cellie.

4 Q. Do you recall which officer you believe
5 kicked you while you were on the floor in the cell
6 on October 20, 2020?

7 A. I think that was -- I think it was
8 A. Roberts and the other guy. Because they were
9 just kicking. I think A. Roberts.

10 Q. And it's your testimony your began to
11 cry; is that correct?

12 A. Say that again.

13 Q. Is it your testimony that you began to
14 cry?

15 A. Yes. I was crying while I was there.
16 Even from the -- like, every time they were hitting
17 me, I was crying.

18 Q. Were you moved to another cell without
19 incident after the events that occurred in the cell
20 on October 20, 2020?

21 A. Without incident?

22 Q. Correct.

23 A. I was moved from that cell that day to
24 isolation.

1 Q. So was there any physical altercation
2 between you and any officer following your departure
3 from the original cell you were in on October 20,
4 2020, on the way to the isolation cell?

5 A. It was when I got to the isolation cell,
6 when I had to -- I had to see the guy again, the
7 A. Roberts.

8 Q. Okay. Tell me what happened there.

9 A. When I got in there -- when we went --
10 Well, when I got in there, one of the guys, when we
11 came next to the door, he was blocking the door. He
12 was covering the door. And A. Roberts asked me to
13 kneel down and face the wall that was close to the
14 table. So when I kneeled down and faced the wall,
15 A. Roberts started hitting me. He started beating
16 me, punching me on the face, mouth. Like, he was
17 punching me. He was -- I thought -- When he asked
18 me to kneel down, I thought he wanted to take the
19 cuffs off. So he punched me and beat me in that
20 room and then -- before taking off the cuffs, and he
21 left.

22 Q. So -- And I just want to make sure I
23 understand. So do you have any recollection of any
24 specific use of force any officer used with Mr. Adem

1 during the time that you were in the cell, prior to
2 your departure, on October 20, 2020?

3 A. Any physical confrontation with an
4 officer?

5 Q. Yes. Any point where you can link an
6 officer to doing something where they were using
7 force on Mr. Adem on October 20, 2020.

8 A. The same -- the same -- I recall -- I
9 recall that the same thing happened when -- he got
10 beaten too. He got beaten.

11 MS. NORRIS: Objection. I think he
12 obviously answered this. But, yeah, objection.

13 BY MR. DOWNEY:

14 Q. Just so I understand, is there any
15 specific officer that comes to mind, Mr. Bayong?
16 Any specific officer?

17 A. I know there were -- I just know Blankton
18 and one other officer was on their knees, beating
19 him when he was on the floor, you know, when he
20 would just say, "Oh, you guys want to talk to
21 supervisor?" I just realized he was on the floor
22 already. He got hit, punched, and they threw him on
23 the floor.

24 And then I was sitting on the bed, and

1 they asked me, "Do you want to pack your shit, or do
2 you want us to assault you?"

3 And I said, "I don't want to go to the
4 hole."

5 And just, they started punching.

6 Q. Did you observe any injuries on Mr. Adem
7 on October 20, 2020?

8 A. Yes. He had blood. He had blood coming
9 out from his -- He had blood coming out. I can't
10 remember where it was coming out.

11 Q. Were you still bunked with him after you
12 moved?

13 A. Say that again.

14 Q. Were you still bunked with him after you
15 moved on October 20th?

16 A. Can you say that again?

17 Q. Were you still bunked with Mr. Adem --

18 A. Yes.

19 Q. -- after you moved?

20 A. Yes. Yes. Correct.

21 Q. Did you contact medical on behalf of
22 Mr. Adem after October 20, 2020?

23 A. Medical came. I didn't contact medical
24 for anybody. Medical came there. I don't know. I

1 can't remember.

2 Q. Did you go to medical to receive any
3 treatment for the events that occurred on
4 October 20, 2020?

5 A. I didn't -- because medical came in there
6 and said, "Oh, I can't see anything on you. The
7 only thing I can find on you is a black eye." And
8 they left. So when we went out -- When they took is
9 from C-Pod to H-Pod -- I don't know. Can't recall
10 if it was H-Pod. When they took us down there, no
11 medical -- we had no medical attention until the
12 next day. I can't remember. I think it was the
13 next day they came in there. They gave me some
14 Tylenol for the pain and some antibiotics. That was
15 it.

16 Q. As you sit here today, do you recall any
17 injuries that you sustained as a result of your
18 interaction with corrections officers on October 20,
19 2020?

20 A. Yes. I had injuries. Like I said, I had
21 injuries.

22 Q. Can you tell me what they are or were.

23 A. I had -- On October 20th, I was hit by

24 A. Roberts and kicked on my head multiple times. I

1 had pain. I had pain all around my head and my
2 neck. And then I was physically punched by him.
3 But I realized that when I got kicked, it had -- I
4 pulled my teeth out. Like, I had stuff in my teeth.

5 Q. I'm sorry, sir. Could you repeat that
6 last part?

7 A. I said A. Roberts punched me, and then I
8 had straight up -- like, my gum -- I had an increase
9 of my gum.

10 Q. Okay. Thank you.

11 Do you recall what time of day you were
12 approached to be moved into isolation on October 20,
13 2020?

14 A. What day?

15 Q. What time of day.

16 A. I think it was like 10:00, 11:00 or
17 something. I can't remember. I think that was -- I
18 don't know. I can't remember.

19 Q. Do you recall whether any other inmate
20 could see into the cell that you shared with
21 Mr. Adem at the time that these officers were
22 interacting with you on October 20, 2020?

23 A. Well, sure. Sure. Those were yelling.
24 Those were yelling. I think the guys opposite that

1 same cell which we were locked up in. Because when
2 those guys came in, they had closed them all down.
3 And they were yelling. They saw something. Like,
4 you know, I'm sure they saw something. And they saw
5 those guys were beating up.

6 Q. Do you know the name of any inmate who
7 observed any of the events that occurred inside the
8 cell you shared Mr. Adem on October 20, 2020?

9 A. Say that again.

10 Q. Are you aware of the names of any inmate
11 who observed what occurred in the cell you shared
12 with Mr. Adem on October 20, 2020?

13 A. I can't remember. I can't remember any
14 names at this particular moment. I think -- I can't
15 remember.

16 Q. Have you spoken to any inmate that was
17 incarcerated at the Butler County Jail, other than
18 Mr. Adem, regarding any of the events or
19 circumstances that you have alleged in the complaint
20 filed in this matter?

21 A. No.

22 Q. Have you had contact with any other
23 inmate that was incarcerated at the Butler County
24 Jail during 2020, while you were there, within the

1 past year?

2 A. No.

3 Q. Are you aware of the names of any other
4 inmates who were incarcerated at the Butler County
5 Jail, with the exception of Mr. Adem, during the
6 time that you were incarcerated there in 2020?

7 A. I can't remember. Like I told you, any
8 person I seen in jail -- because I think I spoke to
9 somebody who got released while I was in Geauga
10 County. But I can't remember. I think so. I think
11 I spoke with somebody about racism at that facility.
12 One person or something like that. And I don't even
13 know if he was part of a -- I don't know. I don't
14 even know what cell he was or what -- I don't know.
15 I can't remember.

16 Q. Did you seek any medical attention for
17 any injuries that you incurred as a result of the
18 interaction with correction officers on October 20,
19 2020?

20 A. Medical attention? Yes. Yes, I think
21 so. I think they gave me some Tylenol and some
22 antibiotics, yes.

23 Q. Did you --

24 A. (Inaudible.)

1 Q. I'm sorry, sir.

2 Did you have any visible injuries as a
3 result of that interaction, in your mind?

4 A. Yes.

5 Q. Can you explain them to me?

6 A. I just did explain that to you.

7 Q. Yeah. I just want to know if you could
8 see them. I understand that your lip had been
9 enlarged as a result of the encounter. Anything
10 else that would be physically observable?

11 A. I had a black eye as well. And I had
12 pain all over from the punches and kicks to my head.
13 I had pain all over.

14 Q. Do you recognize the name Mory Keita?

15 A. Say that again.

16 Q. Do you recognize the name Mory Keita,
17 K-e-i-t-a?

18 A. Yes. Yes, sir.

19 Q. Who is he?

20 A. He was an inmate with us from Morrow
21 County to Butler County.

22 Q. Does Mr. Keita have any information about
23 what took place on October 20, 2020, between you and
24 any corrections officers?

1 A. Sure. Sure. He was locked up in that
2 jail for sure.

3 Q. All right. Can you tell me what
4 Mr. Keita observed?

5 A. Mr. Keita observed everything that
6 happened that same day. So I don't really know what
7 specific to tell you right now. Because I
8 realize -- I know he observed everything that
9 happened that same day at the county jail.

10 Q. Did you tell medical on October 22, 2020,
11 that you had no issues?

12 A. On October 22nd, that I no issues? I
13 can't remember telling the medical -- I don't think
14 I would tell medical such a thing after being
15 beating -- after being beaten with all kinds of
16 injury and pain. How would I tell medical I don't
17 have any issues? Medical? I don't thing I told
18 medical that.

19 Q. Okay. Do you have any recollection of
20 telling forensic staff on October 23, 2020, that you
21 were doing well?

22 A. Doing well when they saying that? They
23 ask about mental issues. It was about my mental
24 issues -- mental health issues. So I told them I

1 was all right.

2 Because when you tell them you are not
3 all right, they try and take you to -- Butler County
4 is -- Butler County is like hell, where you say have
5 small mental issues, they will take you to a place
6 where you don't want to go there. So when forensics
7 come and you tell no, you are not all right, they
8 will take you to that place. They will take
9 everything from you, undress you. You'll be in
10 there naked.

11 So when forensics see me, I say to them,
12 "I don't want to talk to you. I'm all right. I
13 don't have anything to say to you guys. I don't
14 have anything to say to you guys, but for the fact
15 that I was beaten, which you guys all know that I
16 was beaten." I told forensics that. And that's
17 exactly what I think I told forensics. I have never
18 had a talk with forensics. I think I -- I don't
19 know. I never had a talk with no forensics.

20 Q. So setting aside your reasons that you
21 just shared with me, would you have any reason to
22 disagree with a record from forensics indicating
23 that you advised them that you were doing well on
24 October 23, 2020?

1 A. I told forensics I don't want to talk to
2 forensics. That was what I told forensics. "I
3 don't want to talk to you guys. And I'm fine." I
4 was fine. That is what I told them. I told them I
5 didn't want to talk to them. I didn't want to say
6 anything because they will come the next day, pick
7 me up from that place and I will be naked.

8 Q. Did you observe any officer associated
9 with the Butler County Sheriff's Office lay hands on
10 Mr. Adem on any day other than October 20, 2020?

11 A. No.

12 Q. Can you tell me what occurred on
13 October 28, 2020?

14 A. October 28th?

15 Q. I think you saw your attorney that day.

16 A. Yes.

17 Q. Does that refresh your recollection about
18 what occurred?

19 A. Yes. So when I met -- I had a meeting
20 with my attorney that same day. And after I
21 finished the meeting, I was going back to my cell.
22 And, unfortunately, the person I met in the hallway
23 who just said, "Oh, let me take this one back," that
24 was A. Roberts. So I met A. Roberts in the hallway

1 there. And so when I met A. Roberts, I was trying
2 to tell my attorney he would get physical on me that
3 day. So when I met A. Roberts in that hallway, I
4 said, "Oh. Oh, let me tell my attorney something.
5 Just can I tell my attorney something for one
6 second?"

7 As I trying to open the door to say
8 something to my attorney, A. Robert pulled me back
9 from that door. "No, you can't tell him anything."

10 "I'll go."

11 "No, you can't go in there."

12 So he slams me toward the wall multiple
13 times. He slammed me towards the wall and then took
14 me back to the H-Pod. And another female -- another
15 female even wanted to intervene. He told that lady
16 he needed no help. "I'm going to take this goat to
17 where the goat belongs. I will fuck him up. I'm
18 going to take the goat to where he belongs."

19 So that is what I can recall.

20 Q. And I don't want to cut you off, but I
21 want to go back and make sure I understand your
22 testimony, Mr. Bayong.

23 Was A. Roberts assisting you with
24 visitation with your attorney on October 28, 2020?

1 A. He wasn't the person that took me over
2 there. He was taking me back to my cell. He just
3 met me in the hallway and said, "Oh, I'll take
4 back" -- "this guy back to his cell."

5 Q. Okay. So somebody else had assisted with
6 you going to --

7 A. Yes. Somebody else took me over there.
8 Somebody else took me over there. So when I left --
9 When I left the meeting, I met A. Roberts in the
10 hallway. He was transporting other inmates. So he
11 said, "All right. Let me just take this one."

12 And when that conversation started,
13 another of female staff told him that, "Let me take
14 this person. Don't take this person. Let me take
15 him down."

16 He said, "No. I will deal with this
17 goat. I will take the goat myself. I will handle
18 him."

19 Q. Okay. And I'll ask this: Just so it's
20 clean for the court reporter, please let me finish
21 before you start answering. I appreciate you
22 filling in some of the facts, but we want to make
23 sure we aren't talking over each other --

24 A. Okay.

1 Q. -- for the court reporter.

2 A. Yes, sir.

3 Q. So just for the record, you were taken to
4 visitation with your attorney by a different
5 officer, and then --

6 A. Right.

7 Q. -- A. Roberts observed you waiting
8 outside after your visit and offered to take you
9 back to your cell. Is that correct?

10 A. That is correct, to the best of my
11 knowledge. Because I can't really remember what --
12 I don't know if I left the cell by myself and went
13 down there or somebody took me down there. I can't
14 remember. Because sometimes they open the door and
15 you go by yourself, and then sometimes somebody will
16 take you down there. So I can't remember if, on
17 that day, I went there by myself or somebody took me
18 down there. But the one thing I know for sure is
19 A. Roberts did not take me out of the cell to that
20 place.

21 Q. Okay. So you walk down the hallway,
22 outside of the secured portion of your pod, to get
23 to your attorney visit; correct?

24 A. Right.

1 Q. And so then it's Corrections Officer
2 Roberts' job to return you to your cell; correct?

3 A. Right. He just met me, and he said he
4 wanted to return me back.

5 Q. Okay. And is it your testimony that
6 Corrections Officer Roberts laid hands on you at
7 some point while you were being taken to your cell?
8 Is that correct?

9 A. Yes. He was hitting -- he was slamming
10 me on the wall, not hitting me.

11 Q. Okay. Was there any --

12 A. He pulled me from that door, and he
13 slammed me toward the wall.

14 Q. Was anyone else present when this
15 occurred?

16 A. There were some inmates in that hallway.
17 And one female told him, "Hey, let me take him" --
18 "let me take him to his cell."

19 And he said, "No. I will deal with the
20 goat myself. I'll take the goat myself."

21 Q. Do you know the names of anybody at the
22 Butler County Sheriff's Office who witnessed
23 Corrections Officer Roberts' interaction with you in
24 the hallway?

1 A. I don't -- I can't -- I don't -- I didn't
2 know any of the inmates that I saw in that hallway.
3 So I can't -- I can't really remember. I don't
4 know.

5 Q. Okay. And you're saying that you were
6 pushed up against the wall; is that correct?

7 A. Yes, sir.

8 Q. Okay. And can you explain to me exactly
9 where you were touched by Corrections Officer
10 Roberts?

11 A. Roberts just pulled me with force out of
12 that visitation room when I said, "Oh, let me say
13 something to my lawyer." He just pulled me with
14 force over there and then pushed me to the wall.

15 And I asked him, "Sir, I need to talk to
16 my lawyer."

17 "What are you talking? Shut your mouth.
18 You go."

19 And as we were talking, another female --
20 female officer came and said, "Oh, let me take this
21 guy. Let me take this guy back to that pod."

22 And then he said, "I will deal with him.
23 I will take him down there myself."

24 So that was it.

1 Q. Okay. With the exception of pulling you
2 and then pushing you into the wall, was there any
3 other physical interaction between Corrections
4 Officer Roberts and you on October 20, 2020 -- or,
5 excuse me, October 28, 2020?

6 A. Yes.

7 Q. Tell us about that, please.

8 A. Say that again, sir.

9 Q. I was asking if there was any other
10 interaction between you and Officer Roberts, other
11 than what you just told me about being pulled out
12 and then pushed into the wall.

13 A. I can't remember. I can't remember, sir.
14 I can't remember on that day. I don't know. I
15 can't really remember everything that happened on
16 that day. I can't tell you. I can't remember.

17 Q. But as you sit here today, you recall,
18 obviously, what you just told me about your
19 interaction with Corrections Officer Roberts. It
20 would be fair to say that no other physical
21 interaction between yourself and Corrections Officer
22 Roberts comes to mind with respect to that specific
23 date of October 28, 2020?

24 A. I can't remember, sir. But you can

1 review the camera footage. There are cameras in
2 that hallway. So you guys review the cameras, and
3 then you guys can see for yourself. You can tell
4 for yourself. I can't really remember all what
5 happened that day.

6 Q. Did you file any sort of complaint or
7 claim with the Butler County Sheriff's Office
8 regarding the incident of October 28, 2020?

9 A. I don't think so. I can't remember. I
10 don't know.

11 Q. Did you suffer any physical injury as a
12 result of the interaction on October 28, 2020, with
13 Corrections Officer Roberts?

14 A. Then, I was already suffering from -- you
15 know, I don't think -- I can't remember if there was
16 anything on that date, like if there be like pain or
17 something. No, I can't remember.

18 Q. If I told you that you expressed no
19 complaints with medics who saw you on October 28th
20 and October 29th of 2020, would you have any reason
21 to dispute that?

22 A. I will say I can't remember if I did file
23 something or not. I will not say I filed something
24 when I cannot remember. I can't remember.

1 Q. If you would, could you tell me about how
2 your experiences at the Butler County Jail affects
3 your current day of life in any way?

4 A. Say that again.

5 Q. Yeah. Can you tell me whether or not
6 your incarceration at the Butler County Jail and the
7 events that you've talked about today have impacted
8 your life in any way?

9 A. It has been a very big trauma to my life.
10 It is something that has eaten me -- it has eaten me
11 a lot --

12 MS. NORRIS: I'm sorry. I'm hearing
13 somebody. Yeah, I'm sorry. Is that on your end?
14 Sorry.

15 Yeah, keep going.

16 A. I said that incident from Butler -- I
17 said the incident from Butler County has actually --
18 it has -- I don't really know how -- I don't have
19 words to describe that incident at Butler County.
20 Because I'm the father of children. I'm the head of
21 a family. I don't -- I mean, the treatment in that
22 place was just so -- it's affecting my mental so
23 much. So it just -- It's so depressing, I don't
24 even want to think about. Each time I think about

1 it, I feel like -- I feel depressed. I feel lost in
2 society. I feel like I'm not a human being. I feel
3 like I just -- I can die the next day. I just feel
4 like somebody who be hitting me and beating me and
5 telling me "I just want to kill you. You monkey.
6 You goat. I don't even know how you came over
7 here."

8 I mean, I just feel like I am lost, like,
9 at times, that I am not even supposed to exist. I
10 feel -- All the time when I think of it, I shed
11 tears. I cry. I cry like it -- was it a mistake I
12 made to go to the United States? Or why should I be
13 treated like that? Because that treatment was just
14 so unfair, like, you know, when people try to prove
15 to you that you don't belong to the society or they
16 don't like you in this place. It was just so kind
17 of -- you know, just the fact that I was in jail,
18 those words they started using, those were not words
19 that you can use to a human being.

20 So since then, I feel super depressed. I
21 don't feel -- like, my mental health is just so
22 fucked up these days. I am just going crazy. I
23 don't feel -- I don't just feel like a human being.

24 Q. Now, Mr. Bayong, I want to be certain I

1 understand, moving to a different topic.

2 Is it fair to say that you never lost a
3 tooth at the Butler County Jail?

4 A. I said when I was hit -- punched on that
5 day, the weight of the punch pushed into my face.
6 So I thought I lose the face -- I lose the teeth
7 down there. And I realized it was just -- the teeth
8 was just pushed one into another.

9 Q. So it's fair, you didn't actually lose a
10 tooth; correct?

11 A. Right.

12 Q. Okay. And you were seen by the jail's
13 dentist, Dr. William Floyd, on November 13, 2020;
14 correct?

15 A. November 13th? I can't remember the
16 date. Yes, I suppose I was seen by somebody. I
17 can't remember his name.

18 Q. Okay. And did that dentist tell you that
19 he had concluded that all of your teeth were present
20 in your mouth?

21 A. No.

22 Yeah, I think he said something. I can't
23 remember what he said. He just said I was -- He
24 just told me, "You could go back. You all right."

1 I think he said something. I can't remember what he
2 said.

3 Q. Now, you were interviewed while you were
4 at the Butler County Jail, by detectives, regarding
5 your allegations; correct?

6 A. Right.

7 Q. Okay. And you did tell them what you
8 believe occurred to you; correct?

9 A. Yes.

10 Q. And you also had a meeting with your
11 attorneys and the FBI as well; is that right?

12 A. Right.

13 Q. And you had --

14 A. And the same day I had the meeting
15 with -- I think the same day I had the meeting with
16 the FBI and the detectives, they had a meeting the
17 same day. It wasn't like two separate days.

18 Because from -- my attorneys were telling me I have
19 a meeting with the detective before I had a meeting
20 with my lawyer. We had that meeting the same day.

21 Q. And so my notes reflect that you met with
22 Butler County detectives on November 4, 2020, and
23 that you followed that meeting on another day with
24 an FBI agent and your own attorney. Does that

1 refresh your memory?

2 A. Some people came to me. I don't know if
3 that was November 4th. But the day that they came
4 to me, they tried asking me some questions. I
5 didn't answer to them because I didn't know who they
6 were and why they wanted to question me. So I
7 didn't answer to them. I don't even know what
8 actually happened on that day, so I don't even know
9 if they were agents or not. So I didn't even -- I
10 didn't answer to them. But I remember -- I remember
11 that the day we had the meeting with the FBI, those
12 guys were crazy.

13 Q. Did you tell the detectives from Butler
14 County Sheriff's Office that Corrections Officer
15 Roberts placed Mr. Adem's prayer rug in the toilet
16 on October 20, 2020?

17 A. I think I did. If -- Yeah, I think I
18 did. I can't remember everything. I can't remember
19 everything I told them. Bur, for sure, if they said
20 so, then I think I did. Because I remember

21 A. Roberts placed that rug inside that toilet. I
22 don't know which CO it was. But I remember
23 somebody -- I remember someone was trying to --
24 someone was trying to place it in the toilet, and

1 another one said, "Hey, don't. You can't do that.
2 That is a prayer rug. Take it out of there." And
3 they just pulled it out and dropped it on the floor.

4 Q. So you're standing by that statement to
5 detectives that CO Roberts placed the prayer rug in
6 the toilet?

7 A. I said -- I just told you, sir. I just
8 answered that question.

9 Q. Have you ever talked to Mr. Adem about
10 that?

11 A. To who?

12 Q. Mr. Adem.

13 A. How would I be telling Adem about
14 something and he observed it by himself? He was
15 there. He observed it himself. He was in the jail.

16 Q. Are you aware of Butler County detectives
17 meeting with your wife, Veronica?

18 A. Butler County detectives?

19 Q. Yes.

20 A. I don't know anything of such. I don't
21 know anything of such. They didn't tell me anything
22 of such. I don't know.

23 Q. Have you always had a gap in your teeth?

24 A. A little bit. It wasn't the way it is

1 now.

2 Q. Are you aware of any other individuals
3 who were interviewed as part of the investigation
4 into your allegations against the Butler County
5 Jail?

6 A. I don't know.

7 No.

8 Q. Do you have any personal knowledge of
9 documents or materials considered as part of that
10 investigation?

11 A. I don't have any idea, sir.

12 Q. How did you come to find your attorney in
13 this case?

14 A. How did I get to know my attorneys?

15 Q. Yeah. How did you find them?

16 A. I -- Can you come back to that question,
17 like, in 30 minutes? I cannot answer that question
18 right now. I don't -- I cannot answer that question
19 right now. I -- Can you ask me that question back
20 in, like, 20 to 30 minutes? I don't know.

21 Q. I'm sorry, sir. I couldn't understand
22 your answer.

23 A. I said can you ask me that question again
24 in, like, 30 minutes?

1 Q. Sure.

2 Have you ever spoken, with the exception
3 of the interview with the FBI agents, to any federal
4 official regarding your allegations against the
5 Butler County Jail?

6 A. I spoke with the FBI. I don't know any
7 other -- I had to talk to someone. I don't know.
8 But I remember I spoke to the FBI.

9 Q. As you sit here today, do you have any
10 recollection of speaking to a representative from
11 ICE or the federal government, either in person or
12 over the phone, regarding the allegations that
13 you've made against the Butler County Sheriff's
14 Office?

15 A. I don't think I had any conversation with
16 ICE, because ICE came in and said -- it was somebody
17 with the jail. I don't think I had any conversation
18 with ICE.

19 Q. Was Zachary Sanders your immigration
20 attorney?

21 A. Right.

22 Q. And I know you've already testified about
23 Mr. Adem on October 20th of 2020 --

24 A. Yes.

1 Q. -- so my question would be: Excluding
2 him, did you ever personally see another inmate at
3 the Butler County Jail beaten up?

4 A. I've seen -- I've seen dozens of inmates
5 in Butler County being beaten up by corrections
6 officers at the Butler County Jail.

7 Q. Can you give me the names of --

8 A. I don't know.

9 Q. -- any of the inmates or the officers who
10 were involved?

11 A. I don't know their names. You know, they
12 just always come in the pod, beat them up, and carry
13 them to isolation. I've seen hundreds of them being
14 beaten up, you know. Dozens of them. It's huge
15 numbers.

16 Can I ask you a question, sir?

17 Q. I mean, you can ask a question. I don't
18 know if I'll be able to answer it, sir.

19 A. All right. You said that Butler County
20 detectives had a talk with Veronica again. I just
21 want you to ask that question again. Can you ask me
22 that question again?

23 Q. I lost you, sir. I'm sorry. I couldn't
24 make out what you were saying.

1 A. I said you said that Butler County
2 detectives had a conversation with Veronica Asong
3 about my -- about my incident or about my gap tooth
4 or something like that. I don't know. You were
5 trying to say something about the date. Could you
6 please ask that question again?

7 Q. I think my question was: Were you aware
8 that Butler County detectives interviewed Veronica?

9 A. When was that? What month was this, and
10 year?

11 Q. I'm not certain.

12 A. Say that again.

13 Q. I'm not certain of the date. I just want
14 to know if you're aware of it.

15 A. Oh, you're not certain about the month or
16 the date that they had a talk with Veronica?

17 Q. Yes.

18 My question was just were you aware of
19 the Butler County --

20 A. I'm talking about the month -- the month
21 or the year they had that talk with Veronica.

22 MS. NORRIS: I think we can move on.

23 MR. DOWNEY: Yeah. I'm not sure what
24 he's wanting.

1 THE WITNESS: All right. Okay. That's
2 okay. Thank you so much. Thank you.

3 BY MR. DOWNEY:

4 Q. Have you told me about each and every
5 threat that you have received from a corrections
6 officer at the Butler County Jail through your time
7 being incarcerated there in 2020?

8 A. I had -- We had a lot of threats from
9 those people. Like, you know, those -- there was
10 insults, racial slurs they were using. It was just
11 so -- there was just so many. It was too much, like
12 all the time. It was some kind of everyday
13 situation. This -- You know, it was just something
14 normal in there. It was just something normal in
15 there. They were using all kinds of words to us.
16 So it was -- I can't remember everything specific.
17 But they used a lot of words which I can't even
18 remember. That was just normal.

19 Q. So my goal today, Mr. Bayong, is just to
20 give you every opportunity to tell me specific
21 events that occurred between officers and yourself
22 or things that you observed while you were there.

23 So with the exception of what we've
24 already talked about today, are you aware of any

1 other threats that you observed from corrections
2 officers, vis-à-vis inmates, during the time that
3 you were incarcerated there?

4 A. I did observe a lot of -- a lot. Like,
5 even when I was in the isolation -- when we were in
6 isolation, we saw people have -- As I've said, they
7 couldn't even open their eyes because they were
8 beaten and the whole face was swollen. Their eyes
9 were covered. They couldn't even open their eyes.
10 And the immigration officers did nothing. They came
11 in the middle of the night to isolation. And then
12 one guy was beaten until he had -- he was walking
13 with crutches, you know. It was a white guy. He
14 got beaten, and he was walking and they had to give
15 him crutches because he couldn't even walk. He was
16 in isolation with us.

17 So I did really observe a huge number of
18 physical abuses which was going on in that place
19 between the corrections officers and inmates. I
20 can't tell anything more than that. But I'll tell
21 you I know what happened there. I just saw a huge
22 number of them.

23 Q. What I'm shooting for is, if there any
24 specific instances that you can recall, I would like

1 for you to tell me about that and the people that
2 are involved. If you've already told me what you've
3 observed, and you don't know who specific people
4 might be, that's fine. I just want to make sure I
5 know everything that you observed.

6 A. I remember -- I remember Ahmed, my
7 cellie, was beaten when he got booked in. Yeah, he
8 came in there and told us he was beaten when he got
9 booked in. Which we know that is what they do.

10 They take you in a private room and beat you up and
11 then come and book you in. So that is -- My cellie
12 came, Ahmed, came and told me that he was beaten.

13 Q. Okay. But would it be fair to say that
14 you did not personally observe Mr. Adem being beaten
15 during the booking process?

16 A. Yes, I did not personally observe him
17 being beaten. But when he came in the C-Pod, he
18 told us what happened to him. I didn't physically
19 observe this.

20 Q. What did he tell you about being beaten
21 during the booking process?

22 A. I think he said he asked for food. And
23 then he said something. I think he said, "If you
24 give me" -- or something. And then they asked if he

1 didn't want to eat the food. He said yes, he wanted
2 to eat. So they pulled him into a private room, and
3 they beat him in that private room.

4 But I can't remember so well. That was
5 what he told me. I can't remember everything as
6 detailed. I can't give you details of everything
7 that happened that same day or everything he told me
8 what's what.

9 Q. Is there any violence you personally
10 experienced at the Butler County Jail by officers
11 that we have not discussed today?

12 A. Not to the best of my knowledge. By me,
13 no. Not to the best of my knowledge, except for
14 what happened to me.

15 Q. Do you have any personal knowledge
16 regarding the training that is undergone by
17 corrections officers at the Butler County Jail?

18 A. The training they undergo? Did you say
19 the training they undergo?

20 Q. No, I'm sorry.

21 Do you have any personal knowledge of any
22 training that is undertaken by the corrections
23 officers who are employed at the Butler County
24 Sheriff's Office?

1 A. I don't have any idea, sir.

2 Q. Do you have any personal knowledge
3 regarding the level of supervision that is in place
4 at the Butler County Sheriff's Office with respect
5 to the correction officers?

6 A. I don't have any idea. I don't know.

7 MR. DOWNEY: Why don't we take five. I
8 think I'm pretty much done.

9 MS. NORRIS: I do have a few more
10 follow-up questions.

11 MR. DOWNEY: Yeah. I just need to take
12 five minutes to look at my notes.

13 MS. NORRIS: Okay. Sounds good.

14 (Recess taken.)

15 MR. DOWNEY: Let's go back on the record
16 and indicate that I don't have any additional
17 questions today for Mr. Bayong.

18 And I appreciate your time today, sir. I
19 understand that Ms. Norris may have some questions
20 for you, so I'm going to turn it over to her.

21 MS. NORRIS: All right. Thank you.

22 - - -

23 DIRECT EXAMINATION

24 BY MS. NORRIS:

1 Q. So first I want to ask, did you have any
2 health conditions while you were at Butler County
3 Jail regarding your legs?

4 A. Right. I had health issues in my legs,
5 which I did complain to Butler County about that.

6 Q. Can you describe more about that?

7 A. I had -- This complaint came from my
8 blood pressure, which was too high. And then my
9 legs were swollen. I had swollen legs, which was
10 very painful. I couldn't walk well. I was
11 walking -- I couldn't walking too well.

12 Q. And on August 13, 2020, can you describe
13 a little bit about the disciplinary ticket?

14 A. Can you say that again? I didn't get
15 that.

16 Q. Can you describe about the disciplinary
17 ticket, what happened on August 13, 2020?

18 A. Oh, yeah. On August 13, I had -- I just
19 came back from the gym. And I had my mask below my
20 nose. So they -- The officer who was in charge -- I
21 think it was Browning -- he said -- he -- he asked
22 me to take my mask off. So I told him the reason I
23 was wearing my mask below my nose was because I just
24 came back from the gym.

1 And, you know, I had to go walk because
2 with the blood pressure, I was advised to do
3 walking. The doctor told me to be walking. And the
4 only time I have to walk around is when we are let
5 out for recreation.

6 So I told him that I'm just coming back
7 from the gym and I can't really breathe well. I had
8 to take my mask down a little bit and then put it
9 back up. So he asked me to take it off. I took it
10 off while we were talking. And then, like, ten
11 minutes, he told me to go back into my room. He
12 told me to go back into my room and be locked down.
13 I went into my room, and he locked me inside my
14 cell. I went inside the cell, and he locked me
15 down. He locked me down for more than 90 minutes,
16 for the rest of the time of that day. Which I
17 thought I had a reasonable conversation with him.
18 And after he locked me down, I thought that was
19 about all it, you know.

20 So later that day --

21 Q. So when -- No, I'm sorry. You can go
22 ahead. I was just going to -- Yeah, that was my
23 next question. So go ahead.

24 A. So later that day, he came in with a

1 ticket. And he gave me a ticket. And then I said,
2 "What is the meaning of this ticket? What is the
3 reason for this ticket?"

4 He said, "Just because you were not
5 wearing your mask." He didn't even tell me anything
6 about a ticket, you know.

7 So I said to him, "Not wearing a mask,
8 you're giving me a ticket?" I didn't understand the
9 citations which were on the ticket. He said he
10 would come up and explain the citations for me.

11 He left. He didn't come back. I was
12 ringing the bell, asking him to come over and
13 explain the citation. He said he will come. He did
14 not come.

15 Finally, before -- The next morning, at
16 5:00 a.m., during breakfast or something, I called
17 him again to come and explain that ticket to me. He
18 said as soon as he is done with breakfast, he will
19 come up and explain the citations to me. Because in
20 Butler County, when they give you a ticket and you
21 don't sign it, it shows that you automatically waive
22 your rights for that ticket, which means that you
23 agree that you are subject to punishment.

24 So I was waiting for him to come and

1 explain the citations to me so I could sign. And
2 then I would have a hearing by the -- by the CO. He
3 didn't come. Finally, he came with my -- He came
4 with my ticket and slid it under the door. When he
5 brought the ticket and slid it under the door, it
6 said -- When I picked the ticket up, I realized that
7 he writes -- he wrote something on the ticket that I
8 refused to sign.

9 I said, "But how would I refuse to sign
10 when I am calling you to come and explain something
11 to me, and you keep saying you will come, you will
12 come, you will come, and you don't even come and
13 explain to me or even call me to have me sign?" He
14 didn't.

15 Q. Okay. Got it.

16 And then on August 17th, around
17 10:00 p.m., what happened? Do you remember --

18 A. That day?

19 Q. -- when you were being removed from
20 isolation?

21 A. Yes. They just came and said I should
22 pack my stuff, that they were about to move me to
23 isolation. So I said, "What have I done that you
24 want to move me to isolation?"

1 So I told them --

2 Q. Do you remember -- sorry. Sorry to
3 interrupt.

4 Do you remember the officer who was
5 there?

6 A. It was Browning who was in charge of the
7 pod that day. So -- But the other officers that
8 were there, I can't remember them.

9 Q. But it was Officer Browning who asked you
10 to pack your stuff?

11 A. Right. Yes.

12 Q. And then what happened?

13 A. No, no, no. Did you say on the 17th?

14 Q. On the 17th, yes. I'm sorry.

15 A. Yes. I think it was him. I think it was
16 him. Yes. I think it was him.

17 Q. And then what happened?

18 A. And then on that day -- So those guys
19 came in. They realized I didn't want to pack my
20 stuff. They just came in there. And, like, I told
21 them, "I am having a problem with my leg. Let me go
22 quietly. Let me just get my things quietly and
23 leave."

24 So when they came in -- and this is what

1 they always do. When they come in, you don't even
2 have a chance to ask them questions. They just want
3 to start to eat you up and pull you out of the cell.

4 So when they came in that day, they were
5 just being abusive and hitting me, like punches,
6 punching me. And they took me out of the cell.
7 They were trying to take me to the isolation.

8 As I was going down the stairs, the pain
9 in my leg was really getting really worse. The pain
10 was getting worse.

11 Q. Back to the cell part -- Sorry. Let me
12 just ask a question there.

13 So do you recall what was said by the
14 corrections officer when -- do you recall them
15 saying anything before the language -- I can also
16 pull up your affidavit if that's helpful to recall
17 your memory.

18 A. Yes.

19 MR. DOWNEY: Object to form.

20 MS. NORRIS: Sorry?

21 MR. DOWNEY: Object to form.

22 MS. NORRIS: Okay. I just wanted to give
23 him a paper so he could recall -- to recall his
24 memory.

1 MR. DOWNEY: I mean, if he signed an
2 affidavit, that's evidence in the case. He's
3 already testified about what his recollection was
4 today, and he's already testified through the
5 affidavit. So I don't see the purpose of this.

6 MS. NORRIS: Yeah. No. It's to recall
7 his memory because of what was said that day.

8 Yeah, I don't know if -- it actually
9 might be harder to do. Because it's your Zoom, so I
10 can't, like, share. So it might be -- Well, let me
11 see if I can just pull it up.

12 (Document displaced on screen.)

13 BY MS. NORRIS:

14 Q. Okay. So this is a document to refresh
15 your memory of what happened on that day,
16 August 17th.

17 MS. NORRIS: And this was -- I think,
18 Daniel, you're aware of this document. This is just
19 the exhibits that were -- we produced this in
20 discovery, this affidavit.

21 BY MS. NORRIS:

22 Q. So when -- So this is on August 17th.
23 You've kind of already gone through the story. And
24 then I just wanted to see -- this is what you wrote

1 on this day. Can you -- Does this look correct? It
2 says -- or this is what you gave as your statement:
3 "Hurry up and get your shit together, motherfucker,"
4 is what they said to you while you were trying to
5 get your stuff together.

6 MR. DOWNEY: I'll object to the form.

7 A. That was right. That was right. So the
8 CO said to me, "Hurry up, motherfucker." He just --
9 "Get your shit quick. Get your shit real fast,
10 motherfucker."

11 Q. Okay. And I'll just rephrase the
12 question, because the opposing counsel objected to
13 the form.

14 So what did they say to you while you
15 were packing up your things?

16 A. They were being -- They were so loud.
17 They were so loud, using a lot of abusive language
18 on me. They were using all kinds of words, like.
19 It was just -- it was just so loud, and they were
20 using all kinds of words on me. And they just keep
21 saying, "Hurry up, you motherfucker. Hurry up. Get
22 your shit together. Get your shit together,
23 motherfucker."

24 They were just abusive. They were using

1 a lot of abusive language on me.

2 Q. Okay.

3 A. So they asked me to pack my stuff and
4 leave.

5 Q. And then what happened?

6 A. And then they pulled me out of the room,
7 finally. I had my stuff already packed or something
8 like that. So they pulled me out of the room. I
9 was trying to move. As I was trying to move to
10 isolation, it was difficult for me to move
11 because -- because the pain on my leg was really --
12 it was really -- it was something that I could not
13 even carry. I couldn't handle it.

14 So I was crying and begging them, "Stop
15 yelling and stop beating me. Let me try to go out
16 by myself, and then I will go down to isolation. I
17 am not denying to go to isolation. I will go."

18 So they did not hurry away from the door,
19 just punching. And they took me out of the cell.

20 As I was going down the stairs, I was
21 going down carefully. I was going down slowly. So
22 at one point, I got tired, and then I had to stop.
23 As I stopped at that place, one of the officers got
24 really angry. On the stairway -- It was like on the

1 sixth stair from the bottom or something like that.

2 MR. DOWNEY: If I can just interrupt.

3 Ms. Norris, if Mr. Bayong is reading
4 from -- and I don't know if you've marked it as an
5 exhibit -- but if he's reading from that, I would
6 prefer that he state that he's reading that from a
7 previously prepared document, as opposed to
8 testifying from memory. I just don't think this is
9 appropriate. If he's reading from the document,
10 just say that's what you're doing.

11 MS. NORRIS: He's not reading from the
12 document.

13 THE WITNESS: I'm not reading from the
14 document.

15 MS. NORRIS: I can also close it out.

16 MR. DOWNEY: Yeah. I just want to make
17 sure that we know where it's coming from.

18 MS. NORRIS: Yeah.

19 MR. DOWNEY: We already covered, I think,
20 all of this in the first part of his deposition.

21 MS. NORRIS: Yeah. I'm just asking some
22 clarifying questions, though, about the things that
23 were asked.

24 MR. DOWNEY: But if you ask just a

1 general question "What happened?" which was asked
2 earlier during his actual deposition, I think that
3 is -- goes back to the very same question I asked of
4 him, and many different iterations of it. So if
5 you're not -- You can show him the affidavit to
6 refresh his memory about a specific issue or event,
7 but I don't think it's appropriate to just reconduct
8 the deposition that's already occurred.

9 MS. NORRIS: Sure. I took it down. I
10 took it down.

11 BY MS. NORRIS:

12 Q. So can you continue about what you were
13 saying, like, when you -- So what happened on the
14 stairs exactly? Because I want to make sure.

15 A. On the stairs -- On the stairs, I got
16 tired.

17 MR. DOWNEY: Objection. Asked and
18 answered.

19 MS. NORRIS: You can continue.

20 A. So on the stairs, when I got tired, I had
21 to hold the railing. I was holding the railing
22 because I had swelling going down. I stood over
23 this way (indicating) a little bit, because I had
24 pain on my leg. And then one of the COs got

1 really -- he got upset. And he got upset. He just
2 pushed me. And I felt -- I felt a strong push from
3 behind. I felt a strong push from behind. And then
4 somebody said, "Just keep going." And as he pushed
5 me, I fell down, face-first, on the concrete -- on
6 the concrete floor that was in the C-Pod.

7 And then I fell down, and I was confused.
8 I didn't really -- Like, I was confused. How can
9 they push and punch me like that? I don't know. It
10 was just so strange. And it was something -- like,
11 I just got confused. And I tried to get up. I
12 tried to get up by myself and try to walk again.

13 Q. Did they say anything while you were
14 going down the stairs? Did the corrections officer
15 say anything while you were going down the stairs?

16 A. Yes. He said something. He said -- He
17 was saying -- He said -- Well, at this particular
18 moment, I can't really remember. But he said --

19 Q. I know you mentioned earlier about a lot
20 of officers were verbally abusing you at different
21 times. Is that what was happening?

22 A. Yes.

23 MR. DOWNEY: Objection. Leading.

24 A. They were verbally -- they were being

1 so -- they were verbally abusive. So he said
2 something when I was going down the stairs. At this
3 particular moment, I can't really remember.

4 Q. That's okay. We can continue.

5 So what injuries did you suffer from
6 that, specifically falling down the stairs?

7 MR. DOWNEY: Objection. Leading.

8 A. I had pain in my neck. I had neck pain,
9 which I suffered for a long time, and then bruises
10 on my knees. I had bruises on my knee.

11 Q. Can you describe the bruises on your
12 knee?

13 A. Yeah. I had some -- I had bruises that
14 were -- blood was coming out from my knee. It was,
15 like, you know, on both sides of my knee. I had
16 bruises on both.

17 Q. Can you describe the neck pain?

18 A. The neck pain was -- affected my whole
19 neck, right to the top of my head. It affected my
20 whole neck, right to my head. I couldn't turn my
21 head, like, right or left. Even sometimes when I
22 would lay on the bed, I just had to lay straight
23 back. I was not able to turn my head. So I
24 suffered that pain for a very long time. It was a

1 lot of pain for a very long time.

2 But at one point in time, the pain
3 stopped. I thought the pain was gone. But then it
4 came back again. So I did suffer that pain for a
5 long time.

6 Q. And what happened with your head? Like,
7 you said you had a head injury?

8 MR. DOWNEY: Objection.

9 A. I had pain from my neck right up to my
10 head. That was all of it. The pain was from my
11 neck and went towards my head. It went up to the
12 top.

13 Q. Would it be fair to say that you had a
14 severe headache?

15 A. Yes.

16 MR. DOWNEY: Objection to form.

17 A. I had headache -- severe headache for
18 days. I had headache.

19 Q. And what other injuries did you also
20 have? Was there anything else that happened to your
21 head?

22 A. It was just severe headache that hurt and
23 that neck pain.

24 Q. Okay. Can you describe any more

1 injuries, then?

2 A. Bruises.

3 Q. Okay. Do you know who pushed you?

4 A. I don't know the name of the officer, but
5 if I could see him, I would be able to identify him.

6 Q. And after that, what happened that day?

7 A. After that, that same day, they took
8 me -- they walk with me along the recreation center.
9 And then they took me to the isolation. But when I
10 was pushed from that railing, I could hear other
11 people shouting in their cells. I could hear other
12 inmates shouting in their cells. "You can't do this
13 to nobody. You can't be doing this to nobody. You
14 guys should stop. You guys should stop this." They
15 were really shouting, like --

16 MR. DOWNEY: Objection. Move to strike.

17 BY MS. NORRIS:

18 Q. You can continue, Mr. Bayong.

19 A. Yeah. So they were saying, you know,
20 "Stop. Stop. Stop. Stop." They were -- Like, the
21 people were, like, close to that. For that place, I
22 don't know if it's closer to Cell 1 or 2 or 3. They
23 saw everything that happened.

24 Q. And so how long did you have headaches

1 after that?

2 (Mr. Bayong leaves.)

3 MR. DOWNEY: He's not on there anymore.

4 MS. NORRIS: Okay. Well, I guess we can
5 wait a couple more minutes.

6 (Discussion held off the record.)

7 (Mr. Bayong returns.)

8 THE COURT REPORTER: Would you like me to
9 read back the question that is pending?

10 MS. NORRIS: Yes, please.

11 (Question read back.)

12 A. I can't really remember how long it was,
13 but I had a headache for a little while. I can't
14 really remember. It was a little while.

15 Q. Was there anything else descriptive about
16 that head injury?

17 A. No. They didn't give me no -- I had no
18 medication, nothing. They didn't say anything about
19 it.

20 Q. Was it a bad head injury, in your
21 opinion?

22 MR. DOWNEY: Objection. Form.

23 A. Yes. It was bad. It was really bad. It
24 was really bad. It was, like, nine hours of pain

1 or even ten, I think.

2 Q. Would you describe it as a concussion?

3 MR. DOWNEY: Objection. Form.

4 A. Yes, it was. It was a concussion -- a
5 big concussion. It was.

6 Q. And so let me go back to my notes here.

7 Okay. So do you think on that day that
8 you were moving slowly, was it because of the blood
9 pressure issue? Or why were you moving slowly that
10 day?

11 MR. DOWNEY: Objection. Form of the
12 question.

13 A. I was moving slowly because I really had
14 pain. It was the blood pressure which caused
15 swelling to my leg. And I had pain from that on my
16 leg. So I couldn't move faster, like any other
17 person could move. So I was moving slowly because
18 my legs were swollen, and the pain was really high
19 on me due to the blood pressure which I had. And I
20 was moving slowly. I couldn't go faster than I was
21 walking.

22 Q. Okay. On that day -- that day, what
23 happened after that? Did you have medical attention
24 at that point?

1 MR. DOWNEY: Object to the form.

2 A. That same day, I had no medical attention
3 because the nurse who came in there, she was
4 verbally aggressive. They verbally aggressive on
5 me. And so I told her, "If you don't really want to
6 take care of myself or listen to me" --

7 She said, "No. You have swelling in your
8 legs, but you don't have pain. Your swollen legs
9 don't cause pain." She was just being so
10 aggressive.

11 And I told her that, "If you don't want
12 to attend to me quietly or peacefully, just leave me
13 alone. You can leave me alone and go. I don't want
14 to talk to you." So they left and went.

15 The next day, they came in with Tylenol.
16 They said, "You take Tylenol for your pain." That
17 was all they gave me. So I took that Tylenol for a
18 while.

19 Q. Okay. Moving on to the October 20, 2020,
20 incident. What happened on that day?

21 MR. DOWNEY: Objection. Asked and
22 answered.

23 A. On that day, I got -- On that day, I got
24 up in the morning, and then I had -- I had sore

1 throat. So I did complain. I think I did complain
2 before that day. So they came in that day. And
3 then I told them that I have sore throat. The ICE
4 nurse that was over there, she told me -- she told
5 me, "You could get the warm water and salt and
6 gargle your throat with it."

7 And so I said, "I'm in jail. How would
8 I? They don't sell salt in here. We don't have
9 salt. Where am I going to get salt from? Where am
10 I going to get salt from? We don't have salt. Or
11 we don't have hot water. Inmates can buy things at
12 commissary. I don't know if they usually have salt
13 at commissary or something. But where am I going to
14 have salt?"

15 "Or you want me to wait four days to buy
16 salt from the commissary and gargle my throat with
17 it? Do you want to give me something that I could
18 use to cure the pain?" I just needed something to
19 cure this pain.

20 So she said, "All right." They are going
21 to give me some, like, ibuprofen. And they -- they
22 came back -- they left and went. They didn't say
23 anything. They left and went. So when they lock
24 down -- When they open the door for recreation, they

1 did not open our door. So we asked, "Why is our
2 door not open?"

3 Q. Mr. Bayong, stop for a second.

4 And who did you ask? Do you remember?

5 A. Yes, I remember. It was the CO was
6 there. I think it was Mr. Clowery [sic] or
7 something. Clowery or something. He was the CO on
8 duty that day.

9 Q. And then what happened? So what did
10 Mr. Crowley ask from you?

11 A. Mr. Crowley told us that we are -- let's
12 be packing our stuff, because we have to move to
13 quarantine. So when he said that, I said, "Why are
14 we moving for quarantine?"

15 He said he don't know. That just depends
16 on the medical or something. "The medical is the
17 one handling that situation. It's not me."

18 So my bunkie said, "If this man is
19 sick" -- "I am not sick. Why do you guys want to
20 move me?" So my bunkie asked the question, "I need
21 you guys to send a supervisor to come talk to me."

22 They didn't send a supervisor to come
23 talk to us. They sent those guys who came in there
24 that morning. So those guys just came in.

1 And then they said, "You guys want to
2 pack your shit or not? You guys want to" -- They
3 just came in. I didn't realize. I was just sitting
4 on the bed. And then I realized my bunkie was
5 already -- they were already -- they were beating my
6 bunkie and throwing him on the floor.

7 Q. Now, I just wanted to interject, please.
8 Who was beating your cellmate?

9 A. It was -- The person who was beating on
10 him was Blankton. It was Blankton.

11 MR. DOWNEY: Objection to the form.

12 A. So Blankton started beating my bunkie
13 with someone else. I don't know his name.

14 And I was just sitting on my bed. So the
15 other three came on me. "You want to pack your
16 shit? Motherfucker, you want to pack your shit, or
17 you want me to fuck you up? I will fuck you up now
18 right away."

19 Q. Sorry. I just want to make sure that,
20 for the record, we have -- Who did you say that was?

21 MR. DOWNEY: Objection. Asked and
22 answered.

23 BY MS. NORRIS:

24 Q. You can continue.

1 A. That was Blankton. I think it was CO
2 Blankton that was on that guy. And the other guys
3 who were on me was A. Roberts and some other -- and
4 the guy with the K-9 and one other guy, which I
5 don't really know his name.

6 So they came on me, and they started
7 beating. They started punching me and beating me
8 and throw me on the floor. As they throw me on the
9 floor, they cuff me. As I was cuffed, they were
10 kicking on me, kicking on my head, while I was on
11 the floor.

12 Q. And with Ahmed, was he -- was -- what
13 happened to him, exactly?

14 A. I mean, like, they just -- As they opened
15 the door -- I mean, they just came to say "You guys
16 are packing." He wanted to talk to a supervisor.
17 They just -- I just realized I saw Ahmed on the
18 floor. Like, they were punching Ahmed and throwing
19 him on the floor. And then they left him -- After
20 he was cuffed, they came to me. So that guy was
21 sitting on his bunk. But he was on the floor, and
22 they cuffed him. And then that guy was beating on
23 his back.

24 And then the other guy came on me now.

1 They throw me on the floor, cuff me, and they took
2 him outside in the dayroom.

3 And when they took me outside in the
4 dayroom --

5 Q. Just one second, Mr. Bayong.

6 So what -- Who was beating you?

7 MR. DOWNEY: Objection. Asked and
8 answered. And please don't interrupt the witness
9 when the witness is answering your question.

10 BY MS. NORRIS:

11 Q. I can --

12 A. It was A. Roberts and two other guys.

13 Q. And --

14 A. It was A. Roberts and two other guys. So
15 A. Roberts and those two said, "I just want to kill
16 you. You monkey. You goat. You fucking goat. I
17 just want to kill you. I just feel like killing
18 you." After what I been through, they want to kill
19 me.

20 And then those inmates who were seeing
21 what happened in that room, they were yelling. They
22 were shouting. They were saying, "Oh, you guys
23 should stop that. Stop that. Stop that."

24 So he went inside the dayroom there and

1 said, "You motherfucker, if you got something to
2 say, you should come out now and say it. I will
3 fuck you up right now." They were saying that in
4 the dayroom. "Come out here and say that. I will
5 fuck you up right now."

6 So I was -- I was sitting on a bench
7 outside of the dayroom. And then the nurse came in.

8 Q. Oh, I'm sorry. I'm -- we don't need,
9 like, all that. Like, that's perfect.

10 Can you -- So what exactly happened,
11 like, then? Like, what did A. Roberts tell you
12 about this?

13 MR. DOWNEY: Object to form. Asked and
14 answered.

15 BY MS. NORRIS:

16 Q. You can continue.

17 A. A. Roberts told me, "I just feel like I
18 just want to kill you. You fucking monkey. You
19 goat. I want to kill you. I will kill you. I feel
20 like killing you, because I'm about to lose my job.
21 I don't care. Before I lose my job" -- "I will kill
22 you before I lose my job. I don't care what happen.
23 I will kill you if I lose my job."

24 So I was -- they took me outside in the

1 dayroom. And then I went outside over there on the
2 bench. And then the nurse lady came out and said
3 she can't see anything. All she can see is a black
4 eye.

5 Q. And then what happened?

6 A. And then they took me now from that
7 place -- They took me and Ahmed from that place to
8 H-Pod, which is an isolation place, where they keep
9 people. So we went in there. And A. Roberts asked
10 us to go in there, kneel down, and face the wall.
11 When he said, "Kneel down," at first I thought he
12 wanted to take off the cuffs. So the other guy, the
13 guy with the K-9, was locking the door. Roberts
14 came in there and started beating me, punching me on
15 my face, my mouth. He just keep punching me. And
16 later on they took the cuff off of my hands and
17 asked me to -- he walked out. He walked out of the
18 room. So --

19 Q. Can you --

20 A. -- later on --

21 Say that again.

22 Q. Can you describe your injuries?

23 A. Yes.

24 MR. DOWNEY: Objection. Asked and

1 answered multiple times.

2 A. I later on realized that the cut which I
3 got, it got worse. It just got bigger again, more
4 than what it was. So that was why, when I looked
5 for something, it was bigger.

6 And then I was all in pain, my neck, my
7 head, all that pain from that beating, those
8 punches. I was seriously in deep pain. I was in
9 deep pain.

10 So the medics only came the next day
11 again. They came back the next day now and give me
12 some antibiotics and, I don't know, Tylenol or
13 something.

14 Q. Okay. And what happened -- I think
15 actually you've already described this, so I won't
16 go into this.

17 So I also wanted to ask, I know you said
18 that there was a lot of abuse at Butler County Jail.

19 A. Right.

20 Q. Did Thurkill ever say anything to you and
21 your bunkies about --

22 A. Yes.

23 Q. -- being abusive?

24 MR. DOWNEY: Objection. Leading

1 question.

2 A. Yes. Since he was a sergeant who came in
3 to give the ticket, he was the one who came in and
4 said we going to stay in there for ten days. So he
5 came in and said, "I don't even know what Barack
6 Obama or Nancy Pelosi did to bring you guys into
7 this country. I don't even know. So if I was the
8 one, I would beat you guys and break your
9 collarbone." He said we are even fortunate that he
10 wasn't there, that if he was there, he will beat us
11 and break our collarbones.

12 Those were his words, those words. Those
13 are the words he used.

14 Q. Did you ever know of any other abuse by
15 Corrections Officer Thurkill?

16 A. Not that I know of.

17 Q. Okay.

18 A. Yeah, yeah, yeah. I realized -- I
19 realize this. He pulled one guy from -- One guy was
20 trying to correct the clock or something. He just
21 got -- pulled that guy and slammed him on the floor.
22 He took that guy from off of the table. That guy
23 was trying to correct the clock. Because we were in
24 there, and the clock was not -- the clock wasn't --

1 we had the wrong time in there. I think the time
2 just changed or something. So the time in there was
3 wrong. And that guy was trying to -- it was an
4 inmate who was trying to correct the time. And he
5 got in there, pulled that guy out and slammed that
6 guy on the floor. That guy had a knee injury. That
7 guy had a knee injury.

8 They had to take that guy out of that
9 place to another place because, you know, they
10 didn't want to actually -- you know, they moved
11 inmates from one place to another so there won't be
12 people who know what actually happened. They beat
13 him down and down. I can't believe they actually
14 did that to an inmate.

15 Q. Do you know any more about the injuries
16 there? Do you recall?

17 A. I know that there have been a lot of
18 people that I have seen that got beaten in that
19 jail. So some of them were even walking with
20 crutches that I have seen. Some of them have --
21 Some of them couldn't even open their eyes in that
22 same jail that I've seen. There have been a whole
23 lot of abuses in that particular jail, a whole lot
24 of abuses. I've seen a dozen of them. Because I

1 was there earlier 2019, '18. I've seen a lot of
2 things in that jail.

3 MS. NORRIS: Okay. Thank you. I don't
4 have any other questions.

5 MR. DOWNEY: I just have a couple of
6 follow-ups, Mr. Bayong.

7 - - -

8 RECROSS-EXAMINATION

9 BY MR. DOWNEY:

10 Q. It would be correct to state that you are
11 not a healthcare practitioner or someone who has
12 been trained in the healing arts; is that correct?

13 A. Correct.

14 Q. And it's also correct to say that no
15 healthcare practitioner diagnosed you with a
16 concussion as a result of any of the events that
17 occurred at the Butler County Jail; correct?

18 A. When you request for Butler County for
19 them to start to check you and something, they just
20 come and say, "Oh, you're fine. You're fine. Let's
21 go." Because, you know, they are thinking when they
22 check you or something -- when they send you to the
23 hospital, they will be spending more money. So they
24 just always say, "You're fine. You're fine. Go."

1 Go. Go." They don't --

2 Q. That wasn't my question. My question was
3 a "yes" or "no."

4 Would it be fair to say that no
5 healthcare practitioner has diagnosed you with a
6 concussion arising out of any of the events that
7 occurred at the Butler County Jail during the time
8 that you were incarcerated there?

9 A. I can't remember.

10 Q. Well, you just told your counsel,
11 Ms. Norris, that you diagnosed yourself with a
12 concussion; correct?

13 A. Say that again.

14 Q. Well, didn't you just answer Attorney
15 Norris's question by stating that you had a
16 concussion?

17 A. I said it was some kind of a concussion.
18 I didn't say I was diagnosed with a concussion.

19 Q. Okay.

20 A. I just said it was a concussion.

21 Q. Okay. So I want to make sure we're clear
22 on this. Okay? Because I asked you a bunch of
23 questions about your injuries prior to Ms. Norris
24 asking you questions, and you never mentioned a

1 concussion to me. And I just want to make sure that
2 I understand.

3 Is it fair to say that no healthcare
4 practitioner diagnosed you with a concussion arising
5 out of any of the events that occurred at the Butler
6 County Jail during the time that you were
7 incarcerated there?

8 A. Remember during your questions, I said
9 that there were a lot of things that I can't
10 remember? You know, I hadn't told you -- Remember I
11 told you to ask questions very many times? There
12 were a lot of things that I couldn't remember, that
13 I can't remember at this moment, which doesn't mean
14 I completely forgot about them. And, you know . . .

15 Q. Yeah, I understand that. I asked you a
16 specific question.

17 Has any healthcare practitioner diagnosed
18 you with a concussion from any event that occurred
19 at the Butler County Jail?

20 A. At this moment, I can't really remember.

21 Q. Do you have selective memory loss?

22 A. Do I have lost memory?

23 Q. Yeah. Do you just remember things you
24 want to remember?

1 A. From all what has happened to me in
2 Butler County, I -- you know, being locked up for
3 all that amount of time, I have been losing a lot of
4 things. I've been losing -- you know, losing my
5 memory as well. So I can't really remember
6 everything I ever done.

7 MR. DOWNEY: All right. Yeah, I really
8 don't have any additional questions for you,
9 Mr. Bayong. I appreciate your time today, sir.

10 THE WITNESS: Thank you, sir. Thank you.

11 THE COURT REPORTER: How do you want to
12 handle signature?

13 MR. DOWNEY: Do you want to instruct
14 Mr. Bayong on signature?

15 MS. NORRIS: We'll sign later.

16 MR. DOWNEY: All right. You'll have to
17 figure that out.

18 THE COURT REPORTER: Are you ordering at
19 this point, Mr. Downey?

20 MR. DOWNEY: Yeah, I'll order it.

21 THE COURT REPORTER: And are you ordering
22 a copy, Ms. Norris?

23 MS. NORRIS: Not at this time.

24 (Signature not waived.)

1 - - -

2 And, thereupon, the deposition was
3 concluded at approximately 12:15 p.m.

4 - - -

1 State of Ohio :
2 : SS
3 County of Franklin :

4 I, BROWN BAYONG BAYONG, do hereby certify
5 that I have read the foregoing transcript of my
6 testimony given on July 18, 2022; that together with
7 the correction page attached hereto noting changes
8 in form or substance, if any, it is true and
9 correct.

10 _____
BROWN BAYONG BAYONG

11
12 I do hereby certify that the foregoing
13 transcript of BROWN BAYONG BAYONG was submitted to
14 him for reading and signing; that after he had
15 stated to the undersigned notary public that he had
16 read and examined the transcript, he signed the same
17 in my presence on the ____ day of _____,
18 ____.

19
20 _____
Notary Public

21
22 My Commission Expires:
23 _____
24 - - -

C E R T I F I C A T E

State of Ohio :
County of Franklin : SS

I, Traci E. Peoples, notary public in and for the State of Ohio, duly commissioned and qualified, certify that the within named witness was by me duly sworn to testify to the whole truth in the case aforesaid; that the testimony was taken down by me in stenotypy in the presence of said witness, afterwards transcribed upon a computer; that the foregoing is a true and correct transcript of the testimony given by said witness taken at the time and place in the foregoing caption specified.

I certify that I am not a relative, employee, or attorney of any of the parties hereto, or of any attorney or counsel employed by the parties, or financially interested in the action.

IN WITNESS WHEREOF, I have set my hand and affixed my seal of office at Columbus, Ohio, on this 1st day of August, 2022.

Traci E. Peoples

TRACI E. PEOPLES
Professional Reporter and
Notary Public in and for
the State of Ohio

My Commission Expires: July 15, 2024

7/18/2022

1

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